



WEB COPY

W.P(MD)No.243 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2020

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THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P(MD)No.243 of 2020

and

W.M.P(MD)Nos.156, 158 and 159 of 2020

Soniya Gandhi

... Petitioner

Vs.

1.The State Election Commissioner (Local Body Election),
Office of the Tamil Nadu State Election Commission,
No.206/N, Jawaharlal Nehru Road,
Chennai - 106.

2.The District Collector cum Election Officer,
Collectorate,Ramanathapuram District.

3.The Revenue Divisional Officer cum Returning Officer,
P.Pudur Village Panchayat,
Paramakudi,Ramanathapuram District.

4.The Tahsildar,
Paramakudi,Ramanathapuram District.

5.The Block Development Officer,
Paramakudi,Ramanathapuram District.

6.The Deputy Superintendent of Police,
Paramakudi,Ramanathapuram District.

7.Pannerselvi

8.Indra

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration to declare the election of Village Panchayat President of P.Puthur Village Panchayat of Paramakudi Panchayat Union, Ramanathapuram District, as Unopposed dated 03.01.2020 as null and void and further more, direct the respondents to conduct a fresh, free and fair election insofar as P.Puthur Village Panchayat of Paramakudi Panchayat Union, Ramanathapuram District, is concerned.

For Petitioner : Mr.R.Venkadesha Rama Prabhu

For Respondents : Mr.Raja Karthikeyan for R.1

Mr.K.Chellapandian

Additional Advocate General

assisted by Mr.VR.Shanmuganathan

Special Government Pleader for R.2 to R.6



ORDER

[Order of the Court was made by **M.DURAISWAMY, J.**]

The petitioner has filed the above writ petition as a Public Interest Litigation to issue a writ of declaration to declare the election of Village Panchayat President, P.Puthur Village Panchayat of Paramakudi Panchayat Union, Ramanathapuram District, as unopposed, dated 03.01.2020 as null and void and to conduct a fresh, free and fair election for the said post.

2. It is the case of the petitioner that she was prevented from filing her nomination and therefore she could not file the nomination to contest to the post of President, P.Puthur Village Panchayat of Paramakudi Panchayat Union.

3. When the petitioner has got personal interest in this matter, she has filed the writ petition as Public Interest Litigation to declare the election conducted for the said post as null and void. In this ground alone, the writ petition is liable to be rejected. In any event, the petitioner can file an election petition under Section 258 of the Tamil Nadu Panchayats Act, 1994, in the case of the nomination of the seventh respondent has been wrongly accepted by the authorities.

4. In such view of the matter, we are not inclined to entertain the writ petition. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are also dismissed.

Sd/-

Assistant Registrar (AD-II)

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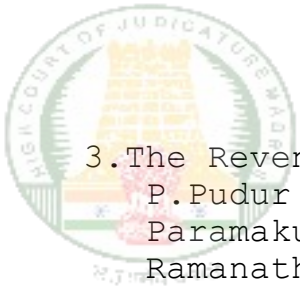
/ /2020

Sub Assistant Registrar(CS)

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To

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Ramanathapuram District.

5.The Block Development Officer,
Paramakudi,
Ramanathapuram District.

6.The Deputy Superintendent of Police,
Paramakudi,
Ramanathapuram District.

+1 CC to M/s.RAJA.KARTHIKEYAN, Advocate (SR-632[F] dated 07/01/2020
+1 CC to M/s.R.VENKATESARAMAPRABHU, Advocate (SR-475[F]
+1 CC to M/s.SPL.GP (SR-684[F] dated 08/01/2020)

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and

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SMA/22/1/2020/3P/10C