



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAISWAMY

AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P (MD) No. 3469 of 2020

R.Augastin

... Petitioner

Vs.

1.The Election Commissioner,
Tamil Nadu Election Commission,
Inner Ring Road,
Jai Nagar, Koyambedu,
Chennai - 106.

2.The District Collector / District Election Officer,
Thoothukudi District,
Thoothukudi.

3.The Block Development Officer & Election Officer,
Block Development Office,
Alwarthirunagiri,
Thoothukudi District.

4.Pool

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to cancel the Local Body Election conducted on 27.12.2019 for the post of 13th Ward member, Alwarthirunagiri Panchayat Union, Thoothukudi District and conduct fresh Election in a free and fair manner, by considering the petitioner's representation dated 11.01.2020.

For Petitioner : Mr.Ananthapadmanabhan
for Mr.D.Deva Arul Samuel Gibson

For R - 1 : Mr.Raja Karthikeyan



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For RR 2 & 3 : Mr.K.Chellapandian,
Additional Advocate General.
Assisted by
Mr.VR.Shanmuganathan,
Special Government Pleader.

ORDER

(Order of the Court was made by **M.DURAISWAMY, J.**)

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the respondents 1 to 3 to cancel the Local Body Election conducted on 27.12.2019 for the post of 13th Ward member, Alwarthirunagiri Panchayat Union, Thoothukudi District and conduct fresh Election in a free and fair manner, by considering the petitioner's representation dated 11.01.2020.

2.It is a settled position that the Election for the post of 13th Ward Member as alleged by the petitioner is under Section 258 of the Tamil Nadu Panchayats Act, 1994 by filing an Election Petition.

3.The learned counsel appearing for the petitioner submitted that the petitioner has given a representation dated 11.01.2020 to the second respondent. However, the same has not yet been considered by the second respondent.

4.Mr.K.Chellapandian, learned Additional Advocate General appearing for the respondents 2 and 3 submitted that the petitioner's representation has already been forwarded to the second respondent by the first respondent and the second respondent would consider and pass appropriate orders in accordance with law as expeditiously as possible.

5.In view of the submissions made by the learned counsel appearing on either side and also recording the submissions made by the learned Additional Advocate General appearing for the respondents 2 and 3 to the effect that the representation given by the petitioner would be considered by the second respondent as expeditiously as possible, the Writ Petition is closed. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

1.The Election Commissioner,
Tamil Nadu Election Commission,
Inner Ring Road,
Jai Nagar, Koyambadu,
Chennai - 106.

2.The District Collector / District Election Officer,
Thoothukudi District,
Thoothukudi.

3.The Block Development Officer & Election Officer,
Block Development Office,
Alwarthirunagiri,
Thoothukudi District.

+1 CC to M/s.RAJA KARTHIKEYAN, Advocate (SR-7568[F] dated
21/02/2020)

W.P (MD) No. 3469 of 2020
20.02.2020

gkg (CO)
TR(02.03.2020) 3P 5C