



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2020

CORAM

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

W.P. (MD) No. 12357 of 2018 and

W.M.P. (MD) Nos. 11240 & 11241 of 2018

Jeddidiya Sathya

... Petitioner

Vs.

1. The District Collector,
Thoothukudi,
Thoothukudi District.
2. The Joint Registrar (Cooperatives),
Office of the Joint Registrar (Cooperatives),
Tuticorin, Tuticorin District.
3. The Superintendent of Police,
Thoothukudi,
Thoothukudi District.
4. The Inspector of Police,
Nazareth police station,
Thoothukudi District.
5. The Bishop,
Thoothukudi-Nazareth Diocese,
Thoothukudi,
Thoothukudi District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents 1 and 2 to direct the fifth respondent to conduct the election to be held on 17.06.2018 for the Nazareth Pastorate which comes under Nazareth-Tuticorin Diocese in a fair and free manner by implementing the Identification Card System by considering the representation of the petitioner dated 31.05.2018.

For Petitioner : Mr.S.Siva Thilakar
For R-1,R-3 &R-4 : Mr.K.P.Krishna Dass
Special Government Pleader.

For R-2 : Mr.K.Sathiya Singh

For R-5 : Mr.T.A.Ebenezer

* * *

**ORDER**

This writ petition has been filed seeking a direction to respondents 1 and 2 to direct the fifth respondent to conduct the election to be held on 17.06.2018 for the Nazareth Pastorate which comes under Nazareth-Tuticorin Diocese in a fair and free manner by implementing the Identification Card System by considering the representation of the petitioner dated 31.05.2018.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for respondents 1, 3 and 4 and the learned counsel appearing for the second respondent and the learned counsel appearing for the fifth respondent.

3. It is represented by the learned counsel appearing for the petitioner that the petitioner is the member of Tuticorin-Nazareth Diocese headed by the fifth respondent herein. The fifth respondent has issued a notification to conduct the election for the fifth respondent Diocese. He further submitted that the petitioner has given representation to the respondents to conduct the election in a free and fair manner. But there is no action taken by the respondents so far. Hence, the petitioner wanted this Court that his representation has to be disposed of so that the free and fair election could be conducted.

4. When the matter was taken up for hearing, it is represented by Shri.K.P.Krishna Dass, learned Special Government Pleader appearing for respondents 1, 3 and 4 that on 09.10.2020, election has been conducted with the help of police protection.

5. As pointed out by the learned Special Government Pleader, election has been conducted on 09.10.2020. Therefore, no further orders are required in the present writ petition. If the petitioner is aggrieved by the election that has been conducted on 09.10.2020, it is open to him to question the same in accordance with law.

6. With this liberty to the petitioner, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The District Collector,
Thoothukudi,
Thoothukudi District.
2. The Joint Registrar(Cooperatives),
Office of the Joint Registrar(Cooperatives),
Tuticorin, Tuticorin District.
3. The Superintendent of Police,
Thoothukudi,
Thoothukudi District.
4. The Inspector of Police,
Nazareth police station,
Thoothukudi District.

+1 CC to M/s.S.SIVA THILAKAR, Advocate (SR-22839[F] dated 26/11/2020)

+1 CC to M/s.GP (SR-22985[F] dated 26/11/2020)

W.P. (MD) No.12357 of 2018
24.11.2020

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AC (CO)
KK(15.12.2020) 3P 7C