

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD) No.3579 of 2021

L.Muthu Selvi

...Petitioner

Vs.

1. The Secretary to the State Government
of Tamil Nadu,
Department of Home,
Fort St.George,
Chennai 600 009

2. The Chief Election Commission of India,
Headquarters of the Election Commission of India,
Nirvachan Sadan,Ashoka Road,
New Delhi 110 001

3. The State Election Commissioner,
Tamil Nadu State Election Commissioner,
No.208/2, Jawaharlal Nehru Road,
Opposite to CMET, Arumbakkam,
Chennai 600 106.

...Respondents

Prayer: Petition under Article 226 of the Constitution of India
praying for a writ of Mandamus directing the respondents to
consider the petitioner's representation dated 19.11.2020 and
seeking equal representation to women in the legislative
assembly of Tamil Nadu.

For Petitioner

: Ms.Marxin Prabha
for Mr.R.Narayanan

For Respondents

: Mr.G.K.Muthukumar, Spl.G.P.
For 1st respondent

Mr.Niranjan Rajagoplan,
for respondents 2 and 3

ORDER
(Made by the Hon'ble Chief Justice)

The petitioner complains of his representation of November 19, 2020 not being heeded by the Election Commission.

2. Both the Election Commission and the State are represented and it is appropriately submitted that the written representation of the petitioner entails a constitutional amendment and a degree of reservation to be introduced.

3. Since what the petitioner desires is incapable of being granted without appropriate parliamentary legislation brought in such regard, W.P.No.3579 of 2021 is disposed of, by permitting the petitioner to make appropriate representations before the effective authorities, as the Court cannot issue mandamus to the legislature to introduce a particular statute or incorporate any provision in any statute.

4. There will be no order as to costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

kpl
To

1. The Secretary to the State Government of Tamil Nadu,
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Fort St.George, Chennai 600 009
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+1 CC to The Government Pleader sr 14887.

W.P. (MD) No.3579 of 2021

PMK (CO)
SP(19/03/2021)