



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

W.P.No.27759 of 2015

V.Sunil Kumar

...Petitioner

Vs.

1.The Government of Puducherry
Rep by its Chief Secretary
Puducherry.

2.The District Election Officer,
Puducherry.

3.The Office of the Chief Electoral Office,
Puducherry.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the order No.112/DEO/RO/D5/ERA/2015 dated 30.06.2015 by the 2nd respondent and quash the same and consequently direct the respondents to include the name of the petitioner in the electoral roll of 29 Mahe constituency 19th booth.

For Petitioner : Mr.S.Siva Shanmugam

For Respondents : Mr.J.Kumaran
Additional Government Pleader
Puducherry.

O R D E R

The order dated 30.06.2015 rejecting the application filed by the writ petitioner for including his name in electoral list at Mahe, Union Territory of Puducherry is under challenge in the present Writ Petition.

2. The impugned order reveals that, on enquiry it was found by the booth level officers that the petitioner was not ordinarily residing in the address mentioned as his residence in Form 6, but the petitioner has occasionally visits the said premises. Therefore, the name of the petitioner was not enrolled in the electoral roll of Mahe Assembly Constituency.



3. The order impugned was passed in the year 2015 and thereafter three elections were conducted and six years lapsed. Therefore, the relief as it sought for cannot be granted at this length of time. However, the petitioner is at liberty to submit an application along with all required documents to establish his permanent residence and the authorities competent shall conduct an enquiry in detail, take decision and pass orders as expeditiously as possible.

4. With these directions, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

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To

1.The Chief Secretary
The Government of Puducherry
Puducherry.

2.The District Election Officer,
Puducherry.

3.The Office of the Chief Electoral Office,
Puducherry.

+lcc to Mr.S.Siva Shanmugam, Advocate SR.No.69866

W.P.No.27759 of 2015

SVI (CO)
RVM(11/01/2021)