

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.Nos. 8120 and 8123 of 2021 AND

WMP.Nos.8688 AND 8690 OF 2021

W.P.No.8120 of 2021:

K.Vasuki petitioner

vs

The Returning officer/
The Revenue Divisional Officer Harur (SC)
Assembly Constituency
Harur taluk
Dharmapuri District. respondent

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the Impugned rejection order in ROC.No.424/2021(A1) dated 20.3.2021 on the file of the respondent quash the same and consequently direct the respondent to Permit the Petitioner to participate in the legislative Assembly election to be held on 6.4.2021.

W.P.No.8123 of 2021

N.C.Perumal ... Petitioner

vs

1 The Returning officer/ The Revenue Divisional officer
Harur (SC) Assembly Constituency
Harur taluk
Dharmapuri District. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the Impugned rejection Order in ROC. No 424/2021(A1) dated 20.3.2021 on the file of the respondent quash the same and consequently direct the respondent to Permit the Petitioner to participate in the legislative Assembly election to be held on 6.4.2021.

For Petitioner : Mr.S.Kumara Devan in both WPs

For Respondents : Mr.Niranjan Rajagopalan in both WPs

COMMON ORDER
(made by the Hon'ble Chief Justice)

The petition pertains to the rejection of the petitioner's nomination which is a matter that can be scarcely received by a Court even under Article 226 of the Constitution in view of the primacy of the Election Commission under Article 324 of the Constitution and the general bar under Article 329 thereof.

2. If the petitioners are aggrieved and has been hard done by, the remedy of the petitioners is to challenge the election in the particular constituency.

3. W.P.Nos.8120 and 8123 of 2021 are disposed of without going into the merits of the matter and causing any further prejudice to the petitioners. There will be no order as to costs. W.M.P.Nos.8688 and 8690 of 2021 are also closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

tar

To:

The Returning officer/
The Revenue Divisional Officer Harur (SC)
Assembly Constituency
Harur taluk
Dharmapuri District.

+2cc to Mr.S.Kumara Devan, Advocate, S.R.No. 19966, 19967

W.P.Nos. 8120 & 8123/2021

GPL (CO)
GN(15/04/2021)

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