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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.14404 OF 2021

AND

W.M.P.NO.15311 OF 2021

Ahimsa Socialist Party
Founder & President,
T.Ramesh @ Gandhian Ramesh
D.No.5/125, West Palapatty,
Sellampatty (P.O), Namakkal District,
Tamil Nadu - 637 019.

... Petitioner

Versus

1. The Chief Secretary,
Government of Tamil Nadu,
Secretariat, St.George Fort,
Chennai - 600 009.
2. The Secretary,
Tamil Nadu Legislative Assembly,
Secretariat, St.George Fort,
Chennai - 600 009.
3. The Secretary,
Public Relations Information,
Government of Tamil Nadu,
Secretariat, St.George Fort,
Chennai - 600 009.
4. The Director,
Public Relations & Information,
Government of Tamil Nadu,
Secretariat, St.George Fort,
Chennai - 600 009.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari calling for the records relating to the Press Release No.81 dated 16.05.2021



of the fourth respondent and to quash the same in so far it relates to mentioning of Political Parties, Marumalarchi Dravida Munnetra Kazhagam, Manitha Neya Makkal Katchi, Kongu Makkal Desiya Katchi and Puthiya Bharatham of Sl.No.6 and 10 to 13 of the impugned Notification - Press Release.

For Petitioner : Mr.T.Sivagnanasambandan

For Respondents : Mr.G.Krishnaraja,
Govt. Advocate

O R D E R

Challenging the press release no.81 dated 16.05.2021 issued by the fourth respondent, more particularly, sl.nos.6 and 10 to 13 of the same, the present writ petition came to be filed by the petitioner.

2. According to the petitioner, he is the President of Ahimsa Socialist Party and his Party contested in various general and bye-elections for the legislative assembly in Tamil Nadu and parliamentary elections. He further averred that as per the resolution arrived at in the all party leaders meeting held on 13.05.2021, a 13 member advisory committee was formed on 16.05.2021, to frame guidelines to contain the spread of pandemic corona disease in the state. Consequently, the fourth respondent issued a press release no.81 dated 16.05.2021, notifying the legislative assembly members belonging to different political parties as members of the committee. It is the grievance of the petitioner that the names mentioned in Sl.Nos.6,10,11 and 12 and 13 of the said notification contains names of persons, who are not members of their respective political parties and they have not even contested in the past legislative assembly election, by using their respective parties' name and symbol. However, the petitioner's political party contested in three assembly constituencies and in spite of the same, their name has not been included in the notification and hence, the said notification to that extent is against the concept of level playing and prejudicial to the interest of the petitioner. Therefore, this writ petition.

3. During the course of argument by the learned counsel for the petitioner, this Court expressed its view that the petitioner cannot be aggrieved by the notification impugned herein, unless the registration of the political parties in question is cancelled or rescinded or suspended for any reason by the election commission and that, the petitioner can ventilate his grievance in an appropriate manner.



4. Hence, the learned counsel for the petitioner sought permission of this court to withdraw this writ petition with liberty to the petitioner to approach the authority concerned for appropriate relief.

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5. Granting such liberty to the petitioner, this writ petition stands dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO-VII)

//True Copy//

Sub Assistant Registrar

mrr

To

1. The Chief Secretary, Government of Tamil Nadu,
Secretariat, St.George Fort,
Chennai - 600 009.
2. The Secretary,
Tamil Nadu Legislative Assembly,
Secretariat, St.George Fort,
Chennai - 600 009.
3. The Secretary, Public Relations Information,
Government of Tamil Nadu,
Secretariat, St.George Fort,
Chennai - 600 009.
4. The Director, Public Relations & Information,
Government of Tamil Nadu, Secretariat,
St.George Fort,
Chennai - 9.

W.P.NO.14404 OF 2021

SSI(CO)
PBS/19/08/2021