



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.2823 OF 2014

&

M.P.NO.1 OF 2014

V.Balakrishnan

... Petitioner

Vs.

1.Election Commission of India
Represented by its Secretary
Nirvachan Sadan,
Ashoka Road,
New Delhi - 110 001

2.The District Election Officer,
Office of the District Election Officer,
The Government of Puducherry,
Puducherry.

3.The Electoral Registration Officer cum
Regional Administrator,
Mahe,
Puducherry State.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorified Mandamus, to call for records in relating to the proceedings of the second respondent bearing No.8053/DEO/Peti/2010 dated 23.02.2011 and quash the same in so far as the petitioner is concerned and directing the 3rd respondent to restore the name of the petitioner in the voter's list in Mahe Assembly Constituency and validate the Voter Identity card bearing PY/01/028/1No.006190 dated 07.11.1994 issued by the 3rd respondent in petitioner's name.



WEB COPY

For Petitioner : Mr.R.Manohar
For Respondent 1 : Mr.Niranjan Rajagopalan
for M/s.G.R.Associates
For Respondents : Mr.J.Kumaran
2 & 3 : Additional Government Pleader
(Puducherry)

O R D E R

The proceedings dated 23.02.2011 rejecting the application submitted by the petitioner for including his name in Electoral list at Mahe, Union Territory of Puducherry, is under challenge in the present Writ Petition.

2. In the present case, the District Election Officer conducted an enquiry and formed an opinion that the petitioner was not an ordinary resident of Mahe constituency. Thus, appeal filed by the petitioner was dismissed in the year 2011, already ten years lapsed and three elections were conducted during the pendency of the Writ Petition.

3. Therefore, if at all the petitioner is now residing at Mahe, he is at liberty to submit a fresh application to the Jurisdictional Election Officer, who intturn shall conduct enquiry and pass appropriate order on merits and in accordance with law, as expeditiously as possible.

4. With this liberty, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

kan

To

1. Election Commission of India
Represented by its Secretary
Nirvachan Sadan,
Ashoka Road, New Delhi - 110 001



2. The District Election Officer,
Office of the District Election Officer,
The Government of Puducherry,
Puducherry.

WEB COPY

3. The Electoral Registration Officer cum
Regional Administrator,
Mahe, Puducherry State.

+1cc to M/s.G.R.Associates, Advocate, S.R.No.68787

+1cc to Mr.R.Manohar, Advocate, S.R.No.68559

+1cc to the Government Pleader(Puducherry), S.R.No.69147

W.P.No.2823 of 2014

RLD(CO)

RLP(06/01/2022)