



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM :

THE HON'BLE MR. JUSTICE T.S. SIVAGNANAM
AND
THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.No.21689 of 2021
and
W.M.P.No.22868 of 2021

1.M.Prabakaran
2.R.Radhakrishnan
3.Ajithkumar

...Petitioners

Vs.

1. The State Election Commission,
Elections Building (3rd & 4th Floor)
Villianur Main Road,
Reddiarpalayam,
Puducherry - 605 010.

2. The Commissioner,
Bahour Commune Panchayat,
Mary Street, Bahoor,
Pondicherry - 607 402.

3. The Under Secretary to the Government,
Beach Road,
Puducherry - 605 001.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to impugned Notification dated 4.06.2021 published vide G.O MS.No.17/ LAS/ 2021 issued by the 3rd Respondent and quash the same for Bahour Commune panchayat and consequently direct the 2nd respondent to conduct delimitation of the Bahour Commune Panchayat on the lines of the issues raised herein above within a specified time frame and thereafter conduct the election within a reasonable time.

For Petitioners : Mr.Srinath Sridevan
for Mr.R.Udhayakumar

For R1 : Mr.V.Chandrasekaran
Senior Panel Counsel



For R2 & R3 : M/s.N.Mala
Government Pleader (Puducherry)

WEB COPY (Order of the Court was made by T.S. SIVAGNANAM, J.)
(Through Video Conferencing)

O R D E R

The relief sought for in the writ petition is to call for the records pertaining to impugned Notification, dated 04.06.2021, published vide G.O.Ms.No.17/LAS/2021, issued by the 3rd respondent, and quash the same for Bahour Commune Panchayat and consequently, to direct the 2nd respondent to conduct delimitation of the Bahour Commune Panchayat on the lines of the issues raised herein above within a specified time frame and thereafter, conduct the election within a reasonable time.

2.We have heard Mr.Srinath Sridevan, learned counsel appearing for Mr.R.Udhayakumar, learned counsel for the petitioner and Mr.V.Chandrasekaran, learned Senior Panel Counsel, accepting notice for the 1st respondent and M/s.N.Mala, learned Government Pleader (Puducherry), accepting notice for the respondents 2 and 3, and also the State Election Commissioner, who appeared through video conferencing.

3.It is the submission of the State Election Commissioner that, pursuant to the orders of the Hon'ble First Bench in W.P.Nos.21067, 21117 and 21708 of 2021, dated 05.10.2021, the entire election notification has been withdrawn and a fresh notification will be issued in terms of the directions contained therein.

4.In the light of the said development, the prayer sought for in the writ petition cannot be granted. This writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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To

1. The State Election Commission,
Elections Building (3rd & 4th Floor)
Villianur Main Road,
Reddiarpalayam,
Puducherry - 605 010.
 2. The Commissioner,
Bahour Commune Panchayat,
Mary Street, Bahoor,
Pondicherry - 607 402.
 3. The Under Secretary to the Government,
Beach Road,
Puducherry - 605 001.
- +1 CC to Mr.R.Udhayakumar, Advocate sr 52970.

W.P.No.21689 of 2021

RSI (CO)
SP(28/10/2021)