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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.21890 of 2021

K.Ramakrishnan ... Petitioner

Vs.

1.The State Election Commissioner,
Office of the State Election Commissioner,
208/2, Jawaharlal Nehru Road,
Arumbakkam, Chennai - 600 106.

2.The District Collector,
Office of the District Collector,
Villupuram, Villupuram District.

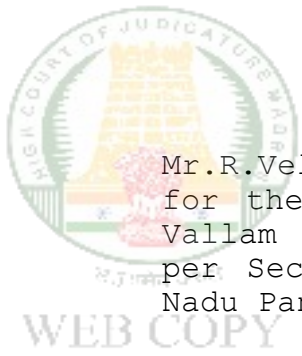
3.The Returning Officer,
Panchayat Union Office,
Vallam, 604 206,
Gingee Taluk,
Villupuram District.

4.The Assistant Returning Officer,
Panchayat Union Office,
Vallam, 604 206,
Gingee Taluk,
Villupuram District.

5.R.Velayutham
Ex. Village Panchayat President,
Udayanthanga Village,
Kallapuliyur Post - 604 208,
Gingee Taluk,
Villupuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, 1950 for issuance of a Writ of Mandamus directing the respondents 1 to 4 to consider the representation of the petitioner dated 27.09.2021 to conduct proper enquiry in the issue and to declare the 5th respondent namely



Mr.R.Velayutham as disqualified person and reject his nomination for the election of member of Udayanthangal Village Panchayat, Vallam Panchayat Union, Gingee Taluk, Villupuram District, as per Sections 37(3)(c) & (f) and Section 37(4)(a) of the Tamil Nadu Panchayat Act, 1994.

For Petitioner : Mr.V.R.Appaswamee

For R1 : Ms.R.Anitha
for Mr.S.Siva Shanmugam,
Standing Counsel for
State Election Commission

For R2 to R4 : Mr.P.Muthukumar
State Government Pleader

O R D E R

(Order of the Court was made by T.S. SIVAGNANAM, J.)

(Through Video Conferencing)

The petitioner seeks for a direction to the respondents 1 to 4 to consider the representation of the petitioner, dated 27.09.2021, to conduct proper enquiry in the issue and to declare the 5th respondent as disqualified person and reject his nomination for the election of Member of Udayanthangal Village Panchayat, Vallam Panchayat Union, Gingee Taluk, Villupuram District, as per Sections 37(3)(c) & (f) and Section 37(4)(a) of the Tamil Nadu Panchayat Act, 1994.

2.Heard the learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader, accepting notice for the respondents 2 to 4 and Ms.R.Anitha, learned counsel appearing for Mr.S.Siva Shanmugam, learned Standing Counsel, accepting notice for the 1st respondent.

3.The election notification has already been issued and elections are to be conducted on 09.10.2021. Therefore, the prayer sought for in the writ petition cannot be granted. However, it will be open to the petitioner to question the candidature of the 5th respondent before the appropriate forum. Accordingly, this writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar



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+1cc to M/s.V.R.Appaswamee, Advocate Sr.52713
+1cc to M/s.S.Sivashanmugam, Advocate Sr.53043
+1cc to the Government Pleader Sr.52782

W.P.No.21890 of 2021

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srg 28/10/2021