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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2021

CORAM :

THE HON'BLE MR. JUSTICE T.S. SIVAGNANAM

AND

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.No.21781 of 2021

and

W.M.P.No.22964 of 2021

Tamilarasan

... Petitioner

Vs.

- 1.Tamil Nadu State Election Commissioner,
Tamil Nadu State Election Commission,
No.208/2, Jawaharlal Nehru Road,
Arumbakkam,
Chennai - 600 106.
- 2.The District Election Officer /
The District Collector,
Villupuram District,
Collectorate,
Villupuram.
- 3.The Electoral Officer /
The Revenue Development Officer,
Office of the Revenue Development Officer,
Villupuram Division,
Villupuram.
- 4.The Assistant Electoral Officer /
The Revenue Tashildar,
Taluk Office,
Vikkiravandi Taluk,
Vikkiravandi,
Villupuram District.
- 5.The Electoral Officer /
The Block Development Officer,
Office of the Block Development Officer,
Vikravandi Panchayat Union,
Villupuram District.

... Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 02.10.2021 to take appropriate action to conduct an election in a peaceful and fair manner for 145, Eechankuppam Village Panchayat, Vikkiravandi Panchayat Union, Villupuram District on the basis of electoral roll which was published by the 5th respondent on 31.08.2021 and to ensure that the petitioner's voting rights is not affected and that the impact of bogus and underage voters is not reflected in the local body election to be held on 06.10.2021.

For Petitioner : Mr.G.Mohanakrishnan

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

For R2 to R5 : 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 directing the respondents to consider his representation, dated 02.10.2021, to take appropriate action to conduct election in a peaceful and fair manner for 145, Eechankuppam Village Panchayat, Vikkiravandi Panchayat Union, Villupuram District, on the basis of Electoral Roll which was published by the 5th respondent on 31.08.2021 and to ensure that the petitioner's voting rights is not affected and that the impact of bogus and underage voters is not reflected in the Local Body election to be held on 06.10.2021.

2.Heard Mr.G.Mohanakrishnan, learned counsel for the petitioner and Mr.P.Muthukumar, learned State Government Pleader, who accepts notice for the respondents 2 to 5 and Ms.R.Anitha, learned counsel appearing for Mr.S.Siva Shanmugam, learned Standing Counsel, who accepts notice for the 1st respondent.

3.The petitioner would allege that his name has been deliberately removed from the Voter's List and he has submitted a representation for inclusion of his name, however, when the Supplementary List was published, his name did not find place, but, names of school going children have been included in the Supplementary List.

4.In any event, the elections to the Local Body has commenced today, i.e. on 06.10.2021. Therefore, at this juncture, no direction as sought for in the writ petition can be issued. However, it goes without saying that, only eligible voters should be permitted to vote in the elections, which obviously will be done by due verification of the necessary records.



With this observation, the writ petition is disposed of.
No costs. Consequently, connected miscellaneous petition is closed.

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-sd/-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Tamil Nadu State Election Commissioner,
Tamil Nadu State Election Commission,
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5.The Electoral Officer /
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Office of the Block Development Officer,
Vikravandi Panchayat Union,
Villupuram District.

+1 C.C. to GOVERNMENT PLEADER, SR.NO.52322/2021
+1 C.C. to MR.S.SIVA SHANMUGAM, SR.NO.53044/2021
+1 C.C. to MR.G.MOHANAKRISHNAN, SR.NO.53293/2021

W.P.No.21781 of 2021