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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 20TH DAY OF DECEMBER 2021

THE HON'BLE MR. JUSTICE N.SESHASAYEE

O.A. No. 667 of 2021

in

Election Petition No. 11 of 2021

ELP No.11 of 2021

M.A.Andiambalam,
S/o. M. Andi Ambalam,
No.3/55B, Balappanayakkanpatti,
Pannuvarpatti Post,
Natham Taluk,
Dindigul District,
Tamil Nadu 624 401.

... Petitioner

-VS-

1. Natham R.Viswanathan
No.2-3, East Street, Vembarpatti(PO),
District East Taluk, Dindigul District,
Tamil Nadu - 624 308.
2. P. Andisamy,
98, Meyyampatty,
Avichipatty Post,
Natham Taluk, Dindigul District,
Tamil Nadu - 624 401.



3. R. A.Saranraj,
E27/624, 4th Cross,
R.M.Colony,
Dindigul East Taluk,
Dindigul District,
Tamil Nadu - 624 001.
4. Dr.V.Sivasankaran,
111/8C,
Indiranagar,
SenduraiSalai,
Natham Taluk,
Dindigul,
Tamil Nadu - 624 401.
5. N. Raja
32, Nadutheru,
Ulipakudi,
Punnapatty Village,
Natham Taluk,
Dindigul District,
Tamil Nadu - 624 401.
6. V.Vembarasan,
9/29, Ranasakthi Kaliyamman Kovil Street,
A.Vellodu(POST),
Dindigul East Taluk,
Dindigul District, Tamil Nadu - 624 307.
7. A. Karnan,
2/96 K. Ayyampatty(P),
Kombaipatty,
Dindigul East Taluk,
Dindigul District, Tamil Nadu - 624 308.
8. C. Gurusamy,
1/414, Kannamannur,
Avulipatty post, Sanarpatty,
Dindigul East Taluk,
Dindigul District, Tamil Nadu - 624 308.



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9. M. Xavier Joseph Kennedy,
4/77B, 6/7B, Kalathupatty,
Pugaiyillai Patty, Madur,
Siluvathur Post, Dindigul East Taluk,
Dindigul District, Tamil Nadu - 624 306.
10. K. Dhandapani,
1/110, Kanniyapuram,
Anjukuli Patty,
Dindigul East Taluk,
Dindigul District,
Tamil Nadu - 624 308.
11. A. Balasubramani,
2/142, K. Ayyapatty(P),
Kombaipatty,
Dindigul East Taluk,
Dindigul District,
Tamil Nadu - 624 308.
12. K. Murugesan,
1/330, Kampliyampatty,
Siluvathur VIA,
Dindigul East Taluk,
Dindigul District,
Tamil Nadu - 624 306.
13. S. Jeyakumar,
A. Ellapatty,
Anjukulipatty(Post),
Dindigul East Taluk,
Dindigul District, Tamil Nadu - 624 308.
14. R. Jaya Bal,
186, Rettiyapatty (Post),
Natham (TALUKA),
Dindigul District,
Tamil Nadu - 624 401.



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15. The Election Commission of India,
Represented by its Chief Election Commissioner,
Nirvachan Sadan, Ashoka Road,
New Delhi 110 001.
16. The Chief Electoral Officer, Tamil Nadu
Election Commission of India,
Public(Elections) Department,
Secretariat, Fort St. George,
Chennai - 600 009.
17. The District Collector cum District Returning Officer
District Collector Office,
Dindigul District,
Tamil Nadu - 624 004.
18. The Returning Officer,
131-Natham Assembly Constituency,
Natham Taluk, Dindigul district,
Tamil Nadu - 624 401.
19. DRO cum Election Nodal Officer,
131, Natham Assembly Constituency,
District Collector Officer,
Dindigul, Tamil Nadu - 624 004. ...Respondents

O.A.No.666 of 2021:

1. The Election Commission of India,
Represented by its Chief Election Commissioner,
NirvachanSadan, Ashoka Road,
New Delhi - 110 001.
2. The Chief Electoral Officer, Tamil nadu
Election Commission of India,
Public(Elections) Department,
Secretariat, Fort St.George,
Chennai 600 009.



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3. The District Collector Cum District Returning Officer,
District Collector Officer,
Dindigul District,
Tamil Nadu – 624 004.
4. The Returning Officer,
131 – Natham Assembly Constituency,
Natham Taluk,
Dindigul District,
Tamil Nadu – 624 004.
5. DRO Cum Election Nodal Officer,
131 – Natham Assembly Constituency,
Dindigul Collector Office,
Dindigul,
Tamil Nadu – 624 004. ...Applicants/15th to 19th Respondents

-Vs-

1. M.A.Andiambalam,
S/o. M. Andi Ambalam,
No.3/55B, Balappanayakkanpatti,
Pannuvarpatti Post,
Natham Taluk,
Dindigul District,
Tamil Nadu 624 401. ... 1st Respondent/Petitioner
2. Natham R.Viswanathan
No.2-3, East Street, Vembarpatti(PO),
District East Taluk, Dindigul District,
Tamil Nadu - 624 308.
3. P. Andisamy,
98, Meyyampatty,
Avichipatty Post,
Natham Taluk, Dindigul District,
Tamil Nadu - 624 401.



- 4 R. A.Saranraj,
E27/624, 4th Cross,
R.M.Colony, Dindigul East Taluk,
Dindigul District, Tamil Nadu - 624 001.
5. DR.V.Sivasankaran,
111/8C, Indiranagar,
SenduraiSalai,
Natham Taluk, Dindigul,
Tamil Nadu - 624 401.
6. N. Raja
32, Nadutheru,
Ulipakudi, Punnampatty Village,
Natham Taluk, Dindigul District,
Tamil Nadu - 624 401.
7. V.Vembarasan,
9/29, Ranasakthi Kaliyamman Kovil Street,
A.Velloodu(POST),
Dindigul East Taluk,
Dindigul District, Tamil Nadu - 624 307.
8. A. Karnan,
2/96 K. Ayyampatty(P),
Kombaipatty,
Dindigul East Taluk,
Dindigul District, Tamil Nadu - 624 308.
9. C. Gurusamy,
1/414, Kannamannur,
Avulipatty post, Sanarpatty,
Dindigul East Taluk,
Dindigul District, Tamil Nadu - 624 308.
10. M. Xavier Joseph Kennedy,
4/77B, 6/7B, Kalathupatty,



Pugaiyillai Patty, Madur,
Siluvathur Post, Dindigul East Taluk,
Dindigul District, Tamil Nadu - 624 306.

11. K. Dhandapani,
1/110, Kanniyapuram,
Anjukuli Patty,
Dindigul East Taluk,
Dindigul District,
Tamil Nadu - 624 308.
12. A. Balasubramani,
2/142, K. Ayyapatty(P),
Kombaipatty,
Dindigul East Taluk,
Dindigul District,
Tamil Nadu - 624 308.
13. K. Murugesan,
1/330, Kampliyampatty,
Siluvathur VIA,
Dindigul East Taluk,
Dindigul District,
Tamil Nadu - 624 306.
14. S. Jeyakumar,
A. Ellapatty,
Anjukulipatty(Post),
Dindigul East Taluk,
Dindigul District, Tamil Nadu - 624 308.
15. R. Jaya Bal,
186, Rettiyapatty (Post),
Natham (TALUKA),
Dindigul District,
Tamil Nadu - 624 401

...2nd to 15th Respondents



WEB COPY This Original Application praying that this Hon'ble Court be pleased to permit the Applicants herein/15th to 19th Respondents to release the Electronic Voting Machines used for the elections in No.131 – Natham Assembly Constituency, Tamil Nadu, challenged in the Election Petition No.11 of 2021 for use by the Election Commission of India.

The above Original Application coming on this day before this Court in the presence of Mr.Niranjan Rajagopalan, advocate for M/s.G.R.Associates, Advocates for the Applicants/15th to 19th Respondents and Ms.P.Chandrapriya Advocate for M/s.P.Wilson Associates, Advocates for the 1st Respondent/Election Petitioner herein; C.Manishankar, Senior Counsel for S.K.Raameshuwar, Advocate for 2nd Respondent/1st Respondent herein; and upon reading the Judges Summon and affidavit of Mr.V.Sridhar and counter affidavit of M.A.Andiambalam filed herein; and the learned counsel for the applicant submitted that the core allegation of the election petitioner for seeking to set aside the election of the returned candidate is founded not in any of the malpractices or otherwise in casting vote, or in recording vote, or in counting, but in certain corrupt practices alleged by the election petitioner and

it is ordered as follows:-

That the Applicants/ 15th to 19th Respondents be and are hereby permitted to release the Electronic Voting Machines used for the elections



in No.131 – Natham Assembly Constituency, Tamil Nadu, challenged in the Election Petition No.11 of 2021 for use by the Election Commission of India.

WITNESS, THE HON'BLE MR.JUSTICE MUNISHWAR NATH BHANDARI, ACTING CHIEF JUSTICE, HIGH COURT AT MADRAS, AFORESAID THIS THE 20TH DAY OF DECEMBER 2021.

Sd./-
ASSISTANT REGISTRAR
Original Side – II

//Certified to be true copy//
Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)
From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



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11/01/2022

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OA.NO.667 OF 2021

in

ELP.NO.11 OF 2021

DECREE

DATED: 20.12.2021

THE HON'BLE MR. JUSTICE

N.SESHASAYEE

FOR APPROVAL: 11/01/2022

APPROVED ON : 11/01/2022