



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2021

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,

ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESEVALU

W.P.No.25501 of 2021

and

WMP.No.26929, 26930 of 2021

M.Dhandapani

.. Petitioner

Vs.

1. The Chief Election Commissioner

208/2, Jawaharlal Nehru Road

Arumbakkam, Opposite to Koyambedu Bus Stand
Chennai.

2. The District Election Officer-cum-

District Collector

Collectorate Buildings, Tirupur District.

3. The Executive Officer

Dhali Town Panchayat

Thirumurthy Nagar, Dhali, Tirupur District. ..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records of the first respondent made in proceedings in Na.Ka.No. 884/2014/ME 2 dated 08.11.2021, quash the same and consequently direct the first respondent to consider for conducting a free, fair and impartial election to the third respondent town panchayat forthwith.

For Petitioner

: Mr.N.Umapathi

For Respondents

Mr.S.Sivashanmugam,
Standing Counsel for R1

Mr.P.Muthukumar, State
Government Pleader for R2 &
R3



ORDER
(Order of the Court was made by
the Hon'ble Acting Chief Justice)

The writ petition has been filed to challenge the order dated 08.11.2021 with a prayer to direct the respondents to conduct free, fair and impartial election to the third respondent Town Panchayat.

2. A perusal of the order dated 08.11.2021 reveals the reason of the respondents to conduct election for 489 Municipalities in first phase and in second phase, to conduct the election to Dhali Municipality. The election to Dhali Municipality would take place immediately after delimitation as the decision has been taken to create two wards, by merging the adjoining four settlement areas with 15 wards in Dhali Municipality.

3. Learned counsel appearing for the side opposite submit that immediately after delimitation, election to Dhali Municipality would also be conducted, in second phase.

4. In view of the above, we do not find any illegality in the order under challenge. Accordingly, this petition is disposed of with a direction to the respondents to process the action for delimitation to Dhali Municipality and once it is completed, the election to that Municipality may take place without further delay. The respondents would be expected to initiate the process of delimitation immediately, if it has not been initiated and to complete it expeditiously.

5. W.P.No.25501 of 2021 is disposed of. There will be no order as to costs. Consequently, WMP Nos.26930 and 26929 of 2021 are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kpl

To:

1. The Chief Election Commissioner
208/2, Jawaharlal Nehru Road
Arumbakkam
Opposite to Koyambedu Bus Stand
Chennai.



2. The District Election Officer-cum-
District Collector
Collectorate Buildings
Tirupur District.

WEB COPY

3. The Executive Officer
Dhali Town Panchayat
Thirumurthy Nagar, Dhali
Tirupur District.

+lcc to M/s.N.Umapathi, Advocate, S.R.No.62808

W.P.No.25501 of 2021

KSM(CO)
SB(07/12/2021)