



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

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W.P(MD)Nos.20236 and 20441 of 2021
and W.M.P. (MD) Nos.16910 and 17086 of 2021

M.Faizal Kani ... Petitioner in W.P.(MD) No.20236 of 2021

Kaja Mydeen ... Petitioner in W.P.(MD) No.20441 of 2021

Vs.

- 1.The Delimitation Commission Chairman/
The Tamil Nadu State Election Commissioner,
Jawaharlal Nehru Road, Koyambedu,
Chennai - 600 106.
- 2.The Director of Municipal Administration,
Commissionerate of Municipal Administration,
No.78, Urban Administrative Building,
Santhome High Road, Chennai - 600 028.
- 3.The District Delimitation Authority/
District Collector, Tirunelveli District, Tirunelveli.
- 4.The Commissioner,
Tirunelveli Municipal Corporation,
Tirunelveli. ... Respondents in both the Writ Petitions

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to consider and pass orders on the objection given by the petitioner dated 30.10.2021 under Registration 8(a)(c) of the Tamil Nadu Local Bodies Delimitation Regulations, 2017 before passing final orders on the draft delimitation ward voters list, 2021 published by the 4th respondent.

For Petitioner : Mr.R.J.Karthick
in both Writ Petitions

For 1st Respondent : Mr.B.Saravanan
in both Writ Petitions Standing Counsel

For Respondent Nos.2 : Mr.P.Subbaraj
and 3 in both Writ Government Advocate
Petitions



For 4th Respondent in : Mr.S.P.Maharajan
both Writ Petitions Special Government Pleader

ORDER

(Order of the Court was made by PUSHPA SATHYANARAYANA, J.)

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These Writ Petitions have been filed by the petitioners seeking for a direction upon the respondents to consider and pass orders on the objection given by the petitioner dated 30.10.2021 under Registration 8(a)(c) of the Tamil Nadu Local Bodies Delimitation Regulations, 2017 before passing final orders on the draft delimitation ward voters list, 2021 published by the 4th respondent.

2.The grievance of the petitioners is that the objections were not invited before passing final orders on the draft delimitation.

3.When the matter was taken up for hearing, the learned Government Pleader appearing for respondent Nos.2 and 3 has produced the Gazette Publication of Tirunelveli District, published on 01.11.2021, which states that the Delimitation Commission has submitted its recommendation on the territorial wards of Tirunelveli City Municipal Corporation, in the newly re-constituted district to Government after having published the draft proposal for delimitation of territorial wards of Tirunelveli City Municipal Corporation based on the last preceding census for general information by inviting and processing the objections / suggestions thereon.

4.In view of the above, it was contended by the learned Government Pleader that only after receiving suggestions and objections by publishing the draft proposal in the Gazette final delimitation orders were passed.

5.The learned counsel for the petitioners only sought permission to challenge the Government Gazette individually. In view of the above request made, both the Writ Petitions are dismissed as infructuous with liberty to workout their remedy in accordance with law. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sj



Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Delimitation Commission Chairman/
The Tamil Nadu State Election Commissioner,
Jawaharlal Nehru Road, Koyambedu,
Chennai - 600 106.

2.The Director of Municipal Administration,
Commissionerate of Municipal Administration,
No.78, Urban Administrative Building,
Santhome High Road,
Chennai - 600 028.

3.The District Delimitation Authority/
District Collector,
Tirunelveli District,
Tirunelveli.

+2 CC to M/s.S.P. MAHARAJAN, Advocate (SR-35678 & 35679[F] dated
24/11/2021

+2 CC to M/s.B. SARAIVANAN, Advocate (SR-35756 & 35757[F] dated
24/11/2021)

W.P(MD)Nos.20236 and 20441 of 2021
23.11.2021

AM(CO)
TR(17.12.2021) 3P 8C