



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY
W.P.No.2524 of 2022

S.Vinothkumar .. Petitioner
vs

1. The District Collector
O/o. District Collectorate
Sathuvachari, Vellore - 632 009.

2. The Commissioner
Corporation of Vellore
Vellore, Vellore District.

3. The Assistant Electoral Officer
-cum-Assistant Commissioner
Zone II, Sathuvachari
Vellore - 632 009.

4. The Electoral Officer and Returning Officer
Vellore City Municipal Corporation
Vellore.

5. M.Sudhakar .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to declare the petitioner as qualified candidate in respect of Ward No.24, Zone II, Vellore City Municipal Corporation so as to contest the petitioner in the Urban Local Body Election to be held on 19th February, 2022.

For the Petitioner : Mr.R.Chandrasekaran

For the Respondents : Mr.P.Muthukumar,
State Govt. Pleader
for respondents 1 to 4



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

By this writ petition, a challenge is made to the rejection of the nomination submitted by the petitioner for contesting in the ensuing local body election to be held on 19.02.2022.

2. Learned counsel for the petitioner could not clarify as to the jurisdiction of this Court to cause interference in the process of election and otherwise challenge to the election is barred especially by Article 243ZG of the Constitution of India. Any matter pertaining to the election can be challenged only by way of election petition and thereby, the subject matter raised by the petitioner cannot be taken up going against the constitutional bar on the jurisdiction and otherwise, catena of judgments of the Supreme Court not to cause interference in the process of election after issuance of notification. We are unable to accept the issue raised by the petitioner.

The writ petition is, accordingly, dismissed. However, it will not foreclose the right of the petitioner to challenge the election by invoking the statutory provisions. No costs. Consequently, W.M.P.No.2660 of 2022 is closed.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

sasi

To:

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4. The Electoral Officer and Returning Officer
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Vellore.

+1cc to Mr.R.Chandrasekaran, Advocate SR.No.8534
+1cc to the Government Pleader SR.No.8967

W.P.No.2524 of 2022

KSM(CO)
GN(18/02/2022)