

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.04.2022

Coram:

THE HONOURABLE MR.MUNISHWAR NATH BHANDARI, Chief Justice
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. (MD) .No.5887 of 2022

Shanavaz

.. Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Law Department,
Fort St.George, Chennai.
2. The Chief Election Commissioner,
State Election Commission,
Government of Tamil Nadu,
Jawaharlal Road, 100 Feet Road,
Arumpakkam, Chennai-106.
3. The District Collector,
Sivagangai District,
Sivagangai.
4. The Executive Officer/Returning Officer,
Selection Grade Town Panchayat,
Ilayangudi, Sivagangai District.
5. Tmt.K.A.Syed Jamima,
Chairman,
Selection Grade Town Panchayat,
Ilayangudi, Sivagangai District.

.. Respondents

Writ Petition (MD).No.5887 of 2022 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration to declare the election of the fourth respondent as the Chairman of Ilayangudi Town Panchayat is illegal, as it contravenes to Section 49(2)(c), 50(1)(d) and 51 of the Tamil Nadu District Municipalities Act, 1920.

For petitioner : Mr.S.V.Subramanian
for M/s.Surya Narayanan

For respondents : Mr.P.Muthukumar,
State Govt. Pleader
for RR-1, 3 and 4

Mr.S.Sivashanmugam,
Standing Counsel for R-2

Mr.A.Ajimath Begam for R-5

ORDER

(The Order of the Court was made by The Honourable Chief Justice)

By this Writ Petition, challenge is made to the Election of the fourth respondent as Chairman of Ilayangudi Town Panchayat said to have been in contravention of Section 49(2)(c), 50(1)(d) and 51 of the Tamil Nadu District Municipalities Act, 1920.

2. The challenge to the Election is permissible only by way of Election Petition, in view of Article 243-ZG of the Constitution of India.

3. Therefore, the Writ Petition is not maintainable and the same is dismissed. There shall be no order as to costs.

Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
State of Tamil Nadu,
Law Department,
Fort St.George, Chennai.
2. The Chief Election Commissioner,
State Election Commission,
Government of Tamil Nadu,
Jawaharlal Road, 100 Feet Road,
Arumpakkam, Chennai-600 106.

3. The District Collector,
Sivagangai District,
Sivagangai.
4. The Executive Officer/Returning Officer,
Selection Grade Town Panchayat,
Ilayangudi, Sivagangai District.

+1cc to M/s.Surya Narayanan, Advocate, S.R.No.29022

+1cc to the Government Pleader, S.R.No.29704

W.P.(MD).No.5887 of 2022

RSI[co]

NSK 02/05/2022