



WEB COPY

WP(MD)No.1055 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE **PARESH UPADHYAY**
and

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

W.P(MD)No.1055 of 2022

and

W.M.P(MD)Nos.885 and 886 of 2022

S.Kamaraj @ Chinnadurai

.. Petitioner

Vs.

1.The Tamil Nadu State Election Commission
rep. by its Secretary,
No.208/2, Jawaharlal Nehru Road,
Arumbakkam, Chennai.

2.The Additional Chief Secretary to Government,
Municipal Administration & Water Supply (Election) Department,
Fort St. George, Chennai.

3.The Director of Municipal Administration,
O/o.the Director of Municipal Administration,
Santhome High Road, Chennai - 600 028. .. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records in G.O.Ms.No.11 of Municipal Administration and water Supply (Election), dated 17.01.2022, issued by respondent No.2, to quash the same as illegal and pass such further or other orders.

For Petitioner : Mr.S.M.A.Jinnah

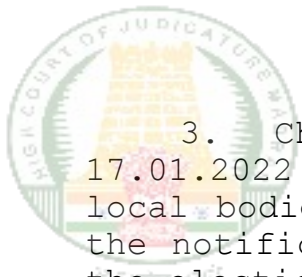
For Respondents : Mr.P.Thilakkumar,
Government Pleader.

ORDER

[Made by PARESH UPADHYAY, J.]

This petition is styled as Public Interest Litigation.

2. It is noted that, this matter was not listed for hearing today. Learned advocate for the petitioner had made a request in the morning that this petition be taken up for hearing today, since there is urgency.



3. Challenge in this petition is made to notification dated 17.01.2022 issued by the Government pertaining to elections for the local bodies. Challenge is made to Serial No.4 of Schedule (1) of the notification. According to learned advocate for the petitioner, the election is to be held on 19.02.2022.

4. Learned advocate for the petitioner has submitted that reserving the said post for Scheduled Caste (General) category is inconsistent in view of the population composition of the Municipality in question. Therefore this petition be entertained.

5. Since the general prayer before this Court (at Principal Bench), with regard to interference in the local body elections is already rejected, the same thing can not be permitted in any different form by the Co-ordinate Bench. We do not intend to entertain this petition. This petition therefore needs to be dismissed.

6. It is noted that, since the factor which weighs with this Court at this stage, is the on-going election process, liberty is reserved to the aggrieved party to move appropriate forum again and disposal of this petition would not be a factor against him.

7. With the above observation, this petition is disposed of. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

smn/LM-1

To

- 1.The Secretary,
Tamil Nadu State Election Commission,
No.208/2, Jawaharlal Nehru Road,
Arumbakkam, Chennai.
- 2.The Additional Chief Secretary to Government,
Municipal Administration & Water Supply (Election) Department,
Fort St. George, Chennai.
- 3.The Director of Municipal Administration,
O/o.the Director of Municipal Administration,
Santhome High Road, Chennai - 600 028.

+1 CC to M/s.B.SARAVANAN, Advocate (SR-5502[F] dated 11/02/2022)

+1 CC to M/s.SPL.GP (SR-5722[F] dated 11/02/2022)

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