



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.7338 of 2022

and

W.M.P. (MD) .Nos.5564 and 5565 of 2022

Senthilkumar

... Petitioner

Vs.

- 1.The District Collector,
District Collector Office,
Sivagangai - 630562.
- 2.The Special Deputy Collector,
Social Security Scheme,
Sivagangai - 630562.
- 3.The Revenue Divisional Officer,
RDO Office,
Sivagangai - 630561.
- 4.The Tahsildar,
Tahsildar Office,
Thiruppuvanam - 630611.
- 5.The Assistant Engineer,
Public Work Department - II,
Thiruppuvanam - 630611.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned election notification issued by the first respondent in respect of Kothankulam Kanmai with Thalikulam Kanmai in Thiruppuvanam Taluk for the post of "President of Water Usage Association" and "Members of the Managing Committee of the Water Users Association" in Thiruppuvanam Taluk, Sivagangai District, vide: Nil proceeding, dated : Nil, and set aside the same as illegal and consequently direct the first respondent to issue a fresh notification for the same posts in respect of same 2-kanmai after removal of all the death persons in electoral roll and include all the eligible voting persons of the entire patta holder with petitioner's name in



electoral Roll for the same 2-kanmais in democracy manner as per law within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Senthilkumar
For Respondents : Mr.B.Saravanan,
Additional Government Pleader.

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ORDER

Mr.B.Saravanan, learned Additional Government Pleader appearing for the respondents has placed before this Court, a communication dated 18.04.2022 sent by the fourth respondent to the first respondent requesting for postponement of the impugned election. He would also submit that based on the recommendation of the fourth respondent to the first respondent, the subject election will also be postponed for six water tanks, which includes Kothankulam, Thalikulam Kanmai for which the petitioner is aggrieved in this Writ Petition. The said undertaking given by the respondents through the learned Additional Government Pleader is recorded.

2. Since the election stands postponed for Kothankulam, Thalikulam Kanmai, the grievance of the petitioner in this Writ Petition has been redressed. However, it is made clear that as and when a fresh election notification is issued for Kothankulam, Thalikulam Kanmai, the respondents shall adhere to the provisions of the Tamil Nadu Farmers Management of Irrigation Systems Act, 2000 and its rules.

3. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

To

1.The District Collector,
District Collector Office,
Sivagangai - 630562.

2.The Special Deputy Collector,
Social Security Scheme,
Sivagangai - 630562.



3.The Revenue Divisional Officer,
RDO Office,
Sivagangai - 630561.

4.The Tahsildar,
Tahsildar Office,
Thiruppuvanam - 630611.

5.The Assistant Engineer,
Public Work Department - II,
Thiruppuvanam - 630611.

+1 CC to M/s.R. SENTHIL KUMAR, Advocate (SR-19618[F] dated
20/04/2022)

+1 CC to M/s.SPL.GP (SR-20115[F] dated 21/04/2022)

W.P. (MD) .No.7338 of 2022
19.04.2022

MGJ(02.05.2022) 3P 8C