



W.P.(MD) No.13763 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.13763 of 2019

B.Ramkumar Adityan

... Petitioner

-Vs-

1.Additional Chief Secretary,

Rural Development and Panchayat Raj Dept.,

Govt. of Tamil Nadu,

Secretariat, St. George Fort, Chennai-600 009.

2.Principal Secretary,

Municipal Administration and Water Supply Department,

Government of Tamilnadu,

Secretariat, St. George Fort, Chennai-600 009.

3.State Election Commissioner,

Tamil Nadu State Election Commission,

Page 1 of 6



W.P.(MD) No.13763 of 2019

WEB COPY No.208/2, Jawaharlal Nehru Road,
Opp.CMBT, Arumbakkam,
Chennai-600 106.

4.The Director,
Director of Rural Development and Panchayat Raj,
Panagal Building, Chennai-600 015.

5.Commissioner of Municipal Administration,
Municipal Annex, 6th Floor, Chennai-600 005.

6.The Director,
Director of Town Panchayats,
Kuralagam, Chennai-600 108.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to upload the Local Body Electoral Roll, Nomination and Affidavits filled by the contesting candidates in the Local Body Elections on the day of filling nomination and list of disqualified persons to contest the Local Body Elections in its official website from the forthcoming Local Body Election onwards within stipulated time.



W.P.(MD) No.13763 of 2019

WEB COPY

For Petitioner : Mr.Shankar Shanmugam
for Mr.Karthick Subramanian
For R1, R2, R4 to : Mr.M.Sarangan
R6 Additional Government Pleader
For R3 : Mr.B.Saravanan

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

The prayer sought for in the Writ Petition is to direct the 3rd respondent to upload the Local Body Electoral Roll, Nomination and Affidavits filled by the contesting candidates in the Local Body Elections on the day of filling nomination and list of disqualified persons to contest the Local Body Elections in its official website from the forthcoming Local Body Election onwards.

2.The 3rd respondent has filed counter affidavit in the year 2019 itself, wherein paragraph No.6, he relied upon the order of the Principal Seat of this Court dated 04.09.2017 made in W.A.No.1268 of 2016 and W.P.Nos.14381 and 18141 of 2017, which is extracted hereunder:-

Page 3 of 6



W.P.(MD) No.13763 of 2019

WEB COPY

“86.However, for convenience, we clarify that the State Election Commission shall consolidate, record and date base the details provided in the affidavits affirmed by the candidates accurately and upload them in its website. We agree that electors are entitled to know the credentials and antecedents of all candidates who contest the elections. The date base of the information provided by the candidates has to be uploaded in the website of the Election Commission and that is what the Single Bench has directed. We direct that the affidavits should, if required, be made available for inspection in the local taluk offices furnished subject to payment of requisite charges.”

3.The learned counsel for the 3rd respondent submitted that the 3rd respondent has duly complied with the aforesaid directions passed by this Court. Hence, nothing survives for adjudication in the instant Writ Petition.

4.In view of the above, we are of the view that since the 3rd respondent has complied with the directions issued by this Court in the Writ Appeal and Writ Petitions stated supra, no further adjudication required in the Writ Petition. Thus, the Writ Petition stands dismissed, however, if there is any other



W.P.(MD) No.13763 of 2019

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grievance, liberty is granted to the petitioner to approach the authority concerned for appropriate relief. No costs.

[D.K.K., J.] & [R.V., J.]

07.12.2022

Index : Yes / No

Internet : Yes / No

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To

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Govt. of Tamil Nadu,

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2. Principal Secretary,

Municipal Administration and Water Supply Dept.,

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3. The Director,

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Page 5 of 6



WEB COPY



W.P.(MD) No.13763 of 2019

D.KRISHNAKUMAR, J.

AND

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4.Commissioner of Municipal Administration,
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W.P.(MD)No.13763 of 2019

07.12.2022