



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Special Original Jurisdiction

Tuesday, the Fourth day of January Two Thousand and Twenty Two

PRESENT

The Hon'ble Mr.Justice C.V.KARTHIKEYAN

WP(MD) .No.19811 of 2017

Mr.K.Kumar,
S/o.Kuppamuthu,
No.B55/1 Race Course Colony,
New Natham Road , Madurai - 2.

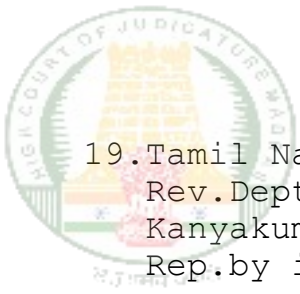
...Petitioner

vs

- 1.The Secretary to Government,
Personal and Administrative Reforms (K) Department
St.George Fort Chennai.
- 2.Mr.John Kulanthairaj
- 3.A.J.Balamurugan
- 4.Tamil Nadu Government Department
Drivers Association
PWD Office campus Chepauk
Chennai-5,
Rep.by
its District President S.Devados
- 5.Tamil Nadu Government Department Drivers Association,
Assistant Executive Engineers Office,
Jayamkondam, Ariyaloor District.
Rep.by its District President K.Selvaraj
- 6.Tamil Nadu Government Department Drivers Association,
C-20 TNHB Colony Aathukadu Salem-8
Rep.by its District President S.Dhayalan.
- 7.Tamil Nadu Government Department Drivers Association,
Collectorate Dindigul, Dindigul District.
Rep.by its District President A.Iqbal.



8. Tamil Nadu Government Department Drivers Association,
Agri. Depat. Office Backside to Old Collectorate,
Cuddalore Cuddalore District,
Rep.by its District President Athinarayanan.
9. Tamil Nadu Government Department Drivers Association,
Govt. Hospital Campus, Villupuram, Villupuram District,
Rep.by its District President G.Sekar.
10. Tamil Nadu Government Department Drivers Association,
Panchayat Union Office, Anthiyur, Erode District,
Rep.by its District President T.Subramaniam.
11. Tamil Nadu Government Department Drivers Association,
Panchayat Union Office, Sakkottai Karaikudi TK,
Sivagangai District,
Rep.by its District President Lakshman Perumal.
12. Tamil Nadu Government Department Drivers Association,
Revenue Dept. Office Collectorate Namakkal ,
Namakkal District.
Rep.by its District President V.Mani.
13. Tamil Nadu Government Department Drivers Association,
District Association Buildings, Collectorate,
Maduari 20.
Rep.by its District President Soundararaj.
14. Tamil Nadu Government Department Drivers Association,
Gandhi Street, R.S.Mangalam , Ariyaloor District.
Rep.by its District President Udhayakumar.
15. Tamil Nadu Government Department Drivers Association,
No.95 Br Nagar, Near Saibaba Temple,
Jabamalaipuram, Thanjavur 2.
Rep.by its District President R.Kannan.
16. Tamil Nadu Government Department Drivers Association,
C.O. Colony Opp. to Collectorate, Sattur Road,
Vrudhunagar, Virudhunagar District.
Rep.by its District President Muthu.
17. Tamil Nadu Government Department Drivers Association,
Panchayat Union Office Kasapakkam,
Thiruvannamalai District.
Re.by its District President Senthamilselvan
18. Tamil Nadu Government Department Drivers Association,
Asst.Dir.Office Collectorate, Thanthoni,
Karur, Karur District .
Rep.by its District President R.Manickavasagam.



19. Tamil Nadu Government Department Drivers Association,
Rev.Dept. Office Collectorate Nagercoil.
Kanyakumari District.
Rep.by its District President Vijayakumar.
20. Tamil Nadu Government Department Drivers Association.
Door No.5 Manthaiammam Kovil Street Uthamapuram,
Cumbum, Theni District.
Rep.by its District President B.Lakshmanan.
21. Tamil Nadu Government Department Drivers Association,
Back Ward Class Welfare Officer Collectorate,
Perambalur.
Rep.by its District President Nandhiraj.
22. Tamil Nadu Government Department Drivers Association,
Govt.Hospital Tharapuram Road, Thiruppur-8,
Thiruppur District.
Rep.by its District President J.Mujip Husain.
23. Tamil Nadu Government Department Drivers Association,
Labour Welfare Dept. Office Sathuvacheri Vellore,
Vellore District.
Rep.by its District President Venkatesalu.
24. Tamil Nadu Government Department Drivers Association,
Public Health Dept.
Pettikara Street thiruvarur,
Thiruvarur District.
Rep.by its District President
25. Tamil Nadu Government Department Drivers Association,
No.7/2 Eri Melakara Street Vedharaniam,
Nagapattinam District.
Rep.by its District President Arunasatesan.
26. Tamil Nadu Government Department Drivers Association,
Panchayat Union Office, Siddhamoor, Kanchipuram District.
Rep.by its District President Anandan.
27. Tamil Nadu Government Department Drivers Association,
Health Dept.
Thiruvalluvar Nagar Pudukkottai,
Pudukkottai District.
Rep.by its District President S.Arumugam.
28. Tamil Nadu Government Department Drivers Association,
Rev.Dept.Collectorate Thiruvallur,
Thiruvallur District.
Rep.by its District President Manoharan.



29. Tamil Nadu Government Department Drivers Association,
Rural Development Department,
Thenkanikottai Krishnagiri District,
Rep.by its District President R.Yuvaraja.
30. Tamil Nadu Government Department Drivers Association,
HIG 130 TNBH Colony Collectorate Post,
Virupaachipuram, Dharmapuri District.
Rep.by its District President Ismail.
31. Tamil Nadu Government Department Drivers Association,
Rev.Dept.Collectorate Korampallam Post,
Great Cottom Road, Tuticorin District,
Rep.by its District President T.Chandran.
32. Tamil Nadu Government Department Drivers Association,
Primary Health Centre, Annoor TK, Coimbatore District.
Rep.by its District President Ramamoorthy.
33. Tamil Nadu Government Department Drivers Association,
Collectorate ,Ooty Nilgiri District.
Rep.by its District President M.Velu.
34. Tamil Nadu Government Department Drivers Association,
No.38 Mela Agraharam Manachanallur Trichy,
Trichy District.
Rep.by its District President Iqbal
35. Tamil Nadu Government Department Drivers Association,
Tahsildar Office Cheranmahadevi, Tirunelveli District.
Rep.by its District President M.Murugesan
36. B.Pachaiappan District Secretary Chennai District.
TN Govt. Dept Drivers Central Assn.
Working as Driver o/o. the Regl. Joint Dir.Ind. and Comm.
Dept. Guindy, Chennai-32

...Respondents

Prayer:-

This Writ Petition is filed Under Article 226 of the Constitution of India to issue a writ of Certiorarified mandamus calling for the records in his letter No.39282/K1/2017-4 dated 02.08.2017 and the consequential impugned election notification issued by the 2nd respondent dated 05.10.2017 and quash the same and direct the 1st respondent to conduct a free and fair elections for the post of office bearers of the Tamil Nadu Government All Department Drivers Association both District Level and state level within a time as stipulated by this Honble Court.



ORDER:-

This Writ Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s.P.Gunasekaran, Advocate for the Petitioner and of M/S.N.sathish Kumar Additional Government Pleader for R1 and M/s.Y.Krishnan, Advocate for Respondent No.2 and M/s.D.Senthil KUmAr, Advocate for Respondent No.36, and M/s.M.Mariappan, Advocate for the respondents No.R4,15,19,31,35 this Court made the following Order:-

There is an interim report given by the two Advocate Commissioners, Mr.M.Selva Kumar and Mr.M.Sendhil Kumar. Initially, the Court had addressed in quite strong terms the two Advocate Commissioners. The Court expresses regret.

2. A specific report, however, has to be given by the two Advocate Commissioners regarding the following aspects:

(i) Whether Statewide elections had been conducted at Thiruvannamalai as contended by one of the parties to the Writ Petition.

(ii) If conducted, was it conducted in manner known to law and in manner following due procedure.

(iii) If not conducted, a statement may be given that such elections were not conducted.

(iv) If had been conducted but not in manner known to law or not following any procedure, that fact may also be stated.

3. These are the only issues which are required to be decided in the Writ Petition and these are the only aspects for which the two Advocate Commissioners have been appointed.

4. For filing such a report on the above aspects, list the matter once again on 25.01.2022.

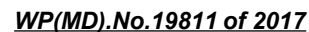
Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



WEB TO COPY

6/6