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W.P.No.7860 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.7860 of 2023

Lalith B Sheth

.. Petitioner

Vs

1.The Election Commission of India,
Nirvachan Sadan, Ashoka Road,
New Delhi – 110 001.

2.The Chief Electoral Officer,
Public (Elections) Department,
Secretariat, Fort St. George,
Chennai – 600 009.

3.The Electoral Registration Officer,
Greater Chennai Corporation – Zone 13,
No.115, Dr. Muthulakshmi Salai,
L.B. Road, Adyar,
Chennai – 600 020.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to restore the petitioner's original voters identity with EPIC No.LWN2543890 on the file of Tamil Nadu State Electoral Rolls for the assembly constituency – Velachery, Chennai.



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W.P.No.7860 of 2023

For the Petitioner : Mr.G.Krishnakumar

For the Respondents : Mr.Niranjana Rajagopalan
for respondent Nos.1 and 2

: Mr.A.Arun Babu
Standing Counsel
for respondent No.3

ORDER

(Order of the court was made by the Hon'ble Acting Chief Justice)

Lalith B.Seth, son of Bipin K.Seth, a resident of Gandhinagar, Adyar, Chennai, has filed this writ petition seeking issuance of a writ of mandamus directing the respondents to restore the petitioner's original Voter's identity card with EPIC No.LWN2543890 on the file of Tamil Nadu State Electoral Rolls for the assembly constituency – Velachery, Chennai.

2. Mr.G.Krishnakumar, learned counsel appearing on behalf of the petitioner, would submit that based on the Voter's identity card originally issued to the petitioner with EPIC No.LWN2543890 on 9.9.2000, the petitioner had cast his vote in various elections. However, when the petitioner went to cast his vote on 6.4.2021, he



W.P.No.7860 of 2023

WEB COPY

was informed that there is no such Voter identity card detailed in the voters' list and the petitioner was not allowed to cast his vote.

On verification, the petitioner's name was found under a different Voter's identity card having EPIC No.LWN5736566, showing the gender as female and the photograph was blurred. On the basis of the complaint lodged by the petitioner, the third respondent forwarded Voter's identity card having EPIC No.LWN5736566, rectifying the error in gender of the petitioner mentioned therein, however with a blurred photograph. The petitioner sent a detailed representation on 11.1.2022 to the third respondent to restore the original Voter ID having EPIC No.LWN2543890 instead of Voter ID having EPIC No.LWN5736566. As the said representation did not evoke any response, the petitioner has been advised to file this writ petition.

3. Mr.Niranjana Rajagopalan, learned counsel for respondents 1 and 2, and Mr.A.Arun Babu, learned Standing Counsel for the third respondent, would submit that, if four weeks' time is granted, the third respondent shall consider the representation of the petitioner



W.P.No.7860 of 2023

dated 11.1.2022 and pass appropriate orders.

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4. In view of the aforesaid submission made by learned counsel for the respondents, the writ petition is disposed of with a direction to the third respondent to consider the representation of the petitioner dated 11.1.2022 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

There will no order as to costs.

(T.R., ACJ.) (D.B.C., J.)
15.03.2023

Index : No
Neutral Citation : No
sasi

To:

- 1.The Election Commission of India,
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WEB COPY



W.P.No.7860 of 2023

THE HON'BLE ACTING CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sasi)

W.P.No.7860 of 2023

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