



WEB COPY



W.P.No.29088 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2023

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THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No. 29088 of 2016
and WMP.Nos.25135 & 25136 of 2016

M.K.Kamalakannan

.. Petitioner

Versus

1. The Tamil Nadu State Election Commission
Rep by its Secretary,
No.208/2, Jawaharlal Nehru Salai,
Arumbakkam, Chennai- 600 106.

2. The District Election Officer/Commissioner,
Chennai City Municipal Corporation,
Chennai.

3. The Assistant Returning Officer,
Corporation of Chennai, Zone-XI,
Valasaravakkam, Chennai-600 087.

4. The Revenue Officer
Revenue Department (Elections),
Corporation of Chennai,
Ribbon Building, Chennai-600 003.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to
issue a Writ of Certiorarified Mandamus, Calling for the records of the



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impugned orders passed by the 1st respondent herein dated 27.08.2014 vide S. O. No. 116/ 2014/ TNSEC/ ME-II in so far as Sl.No. 679 petitioner concern and its consequential order dated 05.07.2016 made in Na.Ka. No. 3414/ 2016-Na. The-2 and quash the same consequently direct the respondents to allow the petitioner to contest in the forth coming Local Body Elections to be held in the month of October 2016.

For Petitioner	: Mr.M.R.Jothimanian
For Respondents	: Mr.S.S.Sivashanmugam R1 Mrs.P.T.Ramadevi, Standing Counsel Chennai Corporation

ORDER

This writ petition has been filed challenging the impugned orders passed by the 1st respondent herein dated 27.08.2014 vide S. O. No. 116/ 2014/ TNSEC/ ME-II in so far as Sl.No. 679 petitioner concern and its consequential order dated 05.07.2016 made in Na.Ka. No. 3414/ 2016-Na. The-2 and quash the same. Consequently direct the respondents to allow the petitioner to contest in the forth coming Local Body Elections to be held in the month of October 2016.

2. When the case was taken up, the learned counsel for the petitioner submitted that the petitioner has contested as an independent candidate for the post of ward councilor of Chennai Municipal Corporation in the local



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body election and was defeated in the said election. Due to illness, the petitioner could not submit his election expenses within time and therefore, the first respondent passed an impugned disqualification order and Challenging the said disqualification order, the present petition has been filed. However, the learned counsel further submitted that the period is already over and hence, nothing survives for adjudication in the writ petition.

3. Such view of the matter, these writ petitions stand dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petition is closed.

06.01.2023

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Index : Yes / No

Speaking Order : Yes / No

To

1. The Tamil Nadu State Election Commission
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N.SATHISH KUMAR, J.

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