



W.P.No.27664 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.No.27664 of 2023

D.Kumaresh

.. Petitioner

Vs

1.The Chief Election Commissioner,
Nirvasan Sadan,
Ashoka Road,
New Delhi-110 001.

2.The Cabinet Secretary,
Secretariat,
Office of the Cabinet Secretary,
Rashtrapathy Bhavan,
New Delhi-110 001.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to consider the representation dated 6.7.2023 by the second respondent.



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For the Petitioner : Mr.A.Kumanaraja

For the Respondents : Mr.Niranjan Rajagopalan
for respondent No.1

: Mr.AR.L.Sundaresan
Addl. Solicitor-General
assisted by
Mr.Rajesh Vivekananthan
Dy. Solicitor-General
for respondent No.2

ORDER

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

We have heard Mr.A.Kumanaraja, learned counsel for the petitioner; Mr.Niranjan Rajagopalan, learned counsel for the first respondent; and, Mr.AR.L.Sundaresan, learned Additional Solicitor-General of India, assisted by Mr.Rajesh Vivekananthan, learned Deputy Solicitor-General of India for the second respondent.

2. Learned Additional Solicitor-General of India submits that the Bill to the effect as claimed by the petitioner was introduced as a Private Bill and the same was defeated.



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3. The prayer made in the present writ petition would amount to directing the Parliament and/or the State Legislature to legislate. The Court exercising writ jurisdiction under Article 226 of the Constitution of India cannot direct the Legislature to enact a law.

With the above observation, the writ petition stands disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

25.09.2023

Index : Yes/No
Neutral Citation : Yes/No
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To:

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2.The Cabinet Secretary,
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THE HON'BLE CHIEF JUSTICE
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