



W.P(MD)No.4654 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Reserved on : 03.03.2023

Pronounced on : 12.05.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4654 of 2023
and
W.M.P.(MD)Nos.4342 and 4343 of 2023

S.Muthuselvan

... Petitioner

Vs.

- 1.The Principal Secretary,
Public Work and Water Resources Department,
Secretariat, Chennai.
 - 2.The Chief Engineer,
Public Work and Water Resources Department,
Chennai.
 - 3.The District Collector,
Thoothukudi District,
Thoothukudi.
 - 4.The Executive Engineer,
Thamarabarani Irrigation Division,
Public Work and Water Resources Department,
Palayamkottai, Tirunelveli District.
- ... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 3rd respondent in his proceedings in Na.Ka.No.B4/5553514/2023 dated 09.02.2023 and quash the same and consequently direct the 3rd respondent to prepare the new voters list for the election of Thamarabarani canal basin and pond water users Association which is to be held on 05.03.2023 by taking appropriate action to remove 70 percent of voters who has died already and add new members in the voters list and dispose of the representation dated 24.02.2023 made by the petitioner within the time limit that may be stipulated by this Court.

For Petitioner : Mr.D.Selvanayagam,
For Mr.M.Pandian

For Respondents : Mr.A.K.Manikkam,
Spl. Government Pleader.

ORDER

Heard the learned counsel on either side.

2.The petitioner questions the impugned election notification on the grounds set out in the affidavit filed in support of the writ petition.



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3.The petitioner's primary grievance appears to be that death persons have not been removed from the voters list and that the eligible persons have not been included. His grievance might as well be justified. But then, the Writ Court will not be justified in interfering with the same at this stage.

4.Leaving open the other remedies of the petitioner to challenge the election result, this writ petition is dismissed. The period from 03.03.2023 to till the date of receipt of copy of this order shall not be counted for the purpose of limitation. No costs. Consequently, connected miscellaneous petitions are closed.

12.05.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

1.The Principal Secretary,
Public Work and Water Resources Department,
Secretariat, Chennai.

2.The Chief Engineer,
Public Work and Water Resources Department,
Chennai.

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3.The District Collector,
Thoothukudi District,
Thoothukudi.

4.The Executive Engineer,
Thamarabarani Irrigation Division,
Public Work and Water Resources Department,
Palayamkottai, Tirunelveli District.

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