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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.9715 of 2023
and
W.M.P.(MD)No.8575 of 2023

Jenson

... Petitioner

vs.

1.The District Collector,
Kanyakumari District at Nagercoil.

2.The Revenue Divisional Officer,
Election Officer, Nagercoil,
Kanyakumari District.

3.The Tahsildar,
Agasteeswaram Taluk,
Kanyakumari District.

4.Vijayandran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to forbear the second respondent from conducting the election to the Thoivalai Channel Integrated Water Usage Society scheduled to be held on 23.04.2023 and to quash the entire election process which is ultra virus.



For Petitioner :Mr.T.Selvakumaran
For R1 to R3 :Mr.N.Muthu Vijayan
Special Government Pleader
For R4 :Mr.K.P.Narayana Kumar

ORDER

The Writ Petition has been filed in the nature of a Mandamus seeking a negative direction against the third respondent from conducting election to the Thovalai Channel Integrated Water Usage Society, which was scheduled held on 23.04.2023.

2.Heard Mr.T.Selvakumaran, learned Counsel for the petitioner, Mr.N.Muthu Vijayan, learned Special Government Pleader for the respondents 1 to 3 and Mr.K.P.Narayanan, learned Counsel for the fourth respondent.

3.The learned Special Government Pleader appearing for the first, second and third respondents stated that the petitioner R.Jenson Roche was a Contractor in Marungur Town Panchayat. An enquiry was also conducted by the Election Officer with the Executive Officer, Marungur



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Town Panchayat and this fact was confirmed. It had been stated that therefore till 09.00 pm 15.04.2023, the respondents waited in vain for the petitioner to give necessary clarification. In view of the same, the representation given by the petitioner had been rejected. It is also stated that the election had already been conducted.

4.Nothing further survives for adjudication. The Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Index :Yes / No
Internet :Yes
NCC : Yes/No

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cmr



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C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.9715 of 2023

15.06.2023