



W.P.(MD).No.11883 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.05.2023

CORAM:

THE HONOURABLE Mr. JUSTICE G.R.SWAMINATHAN

W.P.(MD).No.11883 of 2023

and

W.M.P.(MD)Nos.10311 to 10313 of 2023

K.Padmadhas

... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The Sub Collector,
Padmanabhapuram,
Thuckalay Post,
Kanyakumari District.
- 3.The Special Tahsildar (DRS),
Kalkulam Taluk,
Thuckalay & Post,
Kanyakumari District.
- 4.The Executive Engineer,
Water Resources Department,
Kodayar Irrigation Basin Division,
PWD Road,
Nagercoil – 1.



W.P.(MD).No.11883 of 2023

5.The Assistant Executive Engineer,
Thuckalay Sub Division,
Water Resources Department,
Thuckalay,
Kanyakumari District.

6.The Assistant Engineer,
Water Resources Department,
Irrigation Section,
Eraniel,
Kanyakumari District.

7.A.Balasubramaniam

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records of the letter of the 6th respondent vide கடித எண்.இ.பி./கோ.17/114/2023, நாள்: 02.05.2023 permitting the 7th respondent to assume office as the President, Muttom Branch Canal Water Users Association and set aside the same as well as the election of the 7th respondent to the said post.

For Petitioner	: Mr.M.Viveka
For Respondents	: Mr.M.Senthil Ayyanan Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government counsel for the official respondents. Issuance of notice to the private respondent is dispensed with.



W.P.(MD).No.11883 of 2023

2.The petitioner challenges the election of the seventh respondent as President of the petition mentioned Water Users Association. According to the petitioner, the nomination papers of the seventh respondent ought to have been rejected.

3.Since according to the petitioner, the seventh respondent is not eligible to be a member of the Association, the petitioner has to file a civil suit challenging the election. This writ petition will not lie. Granting liberty to the petitioner to move to a jurisdictional civil court for appropriate relief, this Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

12.05.2023

NCC: Yes/No
Index: Yes/No
Internet: Yes/No
mrn/cp



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W.P.(MD).No.11883 of 2023

G.R.SWAMINATHAN, J.

Mrn/cp

W.P.(MD).No.11883 of 2023

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