



W.P(MD)No.22755 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.22755 of 2023

and

W.M.P(MD)Nos.19011 of 2023

E.Gurunathan

... Petitioner

Vs

- 1.The District Collector,
Tirunelveli District.**
- 2.The Executive Engineer (PWD)
Public Works Department,
Near by railway station,
Palayamkottai,
Tirunelveli-627 002.**
- 3.The Assistant Engineer (PWD)
Public Works Department,
Palayam Kalvai Division,
Tirunelveli.**
- 4.The Tahsildar,
Palayamkottai Taluk,
Tirunelveli.**
- 5.The Village Administrative Officer,
Melaputhaneri Village,
Palayamkottai,
Tirunelveli.**

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus directing the respondents herein to conduct election for after publishing the fresh voters list consisting of actual land holders and after deleting the dead persons names by considering the petitioner's representation dated 12.09.2023.

For Petitioner :Mr.M.Perumal

For Respondents :Mrs.D.Farjana Ghowshia
Special Government Pleader

ORDER

The petitioner is a member of Melaputhaneri Irrigation Sangam has filed this writ petition for a mandamus directing the respondents to conduct the elections after publishing the fresh voters by considering his representation dated 12.09.2023.

2. The learned counsel for the petitioner submitted that several dead persons name are found in the voters list prepared by the Village Administrative Officer. Therefore, fresh voters list has to be drawn.



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3. The learned Special Government Pleader appearing for the respondents submitted that election for this Water users is going to be conducted after several years and election notification was issued on 10.08.2023 and the voters list was published and affixed even prior to the date of notification. Even if any dead persons name are found in the voters list, the official will ensure that the votes are not polled in the name of dead persons, the petitioner has to approach the court in time.

4. The election notification was made on 10.08.2023 and election is scheduled to be conducted on 14.09.2023. Since the election notification was already issued this Court is not inclined to entertain the writ petition. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

NCC : Yes / No.
Index : Yes / No.
Internet: Yes
am

19.09.2023



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B.PUGALENDHI, J.

am

Order made in
W.P(MD)No.22755 of 2023

19.09.2023