



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2024

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.2076 of 2020

C.Palaniappan

.. Petitioner

Vs.

1.The Tamil Nadu State Election Commission,
Rep. by its Secretary,
No.208/2, Jawaharlal Nehru Road,
Opp. to CMBT, Arumbakkam,
Chennai – 600 106.

2.The District Election Officer,
Tiruvaru District.

3.The Returning Officer,
For the post of Ward Member to
5th Ward of Pappakudi Village Panchayat,
Tiruvarur District.

4.Saminathan,
Candidate,
For the post of Ward Member to
5th Ward of Pappakudi Village Panchayat,
Tiruvarur District.

.. Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records on the file of the respondent pursuant to the impugned order dated 24.04.2020 and to quash the same.

For Petitioner	.. Mr.G.Sujith
For R1	.. No appearance
For R2 & R3	.. Mr.V.Nanmaran, Additional Government Pleader
For R4	.. Ms.S.Sasikala

ORDER

This Writ Petition has been filed in the nature of a Mandamus seeking a direction to the 1st respondent, the Secretary, Tamil Nadu State Election Commission, Chennai, to pass orders on the representation of the petitioner dated 07.01.2020 and instruct the 2nd and 3rd respondent namely, the District Election Officer, Tiruvarur District and the Returning Officer for the post of Ward Member to the 5th Ward of Pappakudi Village Panchayat in Tiruvarur District in Valangaiman Panchayat Union to act in accordance with the Declaration Certificate dated 02.01.2020 issued to the petitioner.



WEB COPY

2. Section 258 of the Tamil Nadu Panchayat Act, 1994 places a bar on any Court examining any dispute relating to elections in a panchayat except for the District Court of the jurisdictional district. An election petition should be presented before the jurisdictional District Court within 15 days from the date of declaration of the result. This Court cannot examine the relief sought by the petitioner. This matter had actually been listed under the caption 'for maintainability'. This Writ Petition is not maintainable. Accordingly, Writ Petition stands dismissed. No costs.

13.12.2024

Index: Yes/No
Internet: Yes/No
smv

To

1. The Tamil Nadu State Election Commission,
Rep. by its Secretary,
No.208/2, Jawaharlal Nehru Road,
Opp. to CMBT, Arumbakkam,
Chennai – 600 106.



WEB COPY



C.V.KARTHIKEYAN,J.

smv

- 2.The District Election Officer,
Tiruvarur District.
- 3.The Returning Officer,
For the post of Ward Member to
5th Ward of Pappakudi Village Panchayat,
Tiruvarur District.

W.P.No.2076 of 2020

13.12.2024