



W.P.No.8315 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Yogarajan

.. Petitioner

Vs.

1. The Election Commission of India
Nirvachan Sadan, Ashoka Road
New Delhi.

2. The Chief Electoral Officer
Public (Elections) Department
Government of Tamil Nadu
Secretariat, Fort St. George
Chennai – 600 009.

3. The District Electoral Officer cum
District Collector
Villupuram District, Villupuram.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the 3rd respondent to include petitioner's name in the electoral roll pertaining to Tindivanam Assembly Constituency which is included in the Villupuram



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Parliamentary Constituency based on his representation dated 15.02.2024.

For the Petitioner : Ms.S.Valarmathi

For the Respondents : Mr.Niranjan Rajagopalan
Standing Counsel
for R1

Mr.A.Edwin Prabakar
State Government Pleader
assisted by Mr.P.Harish
Government Advocate
for R2 and R3

ORDER

(Made by the Hon'ble Chief Justice)

Heard Ms.S.Valarmathi, learned counsel for the petitioner,
Mr.Niranjan Rajagopalan, learned Standing Counsel for respondent 1
and Mr.A.Edwin Prabakar, learned State Government Pleader assisted
by Mr.P.Harish, learned Government Advocate for respondents 2 and 3.

2. Learned counsel for the petitioner submits that respondent 3
may be directed to include the name of the petitioner in the electoral
roll pertaining to Tindivanam Assembly Constituency, which is included
in the Villupuram Parliamentary Constituency.



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3. Learned Standing Counsel for respondent 1 submits that the application of the petitioner for inclusion of the petitioner's name was rejected on 22.02.2024 and yesterday (i.e., 27.03.2024) was the last date for inclusion of names in the electoral roll. Now, there is a statutory bar under Section 23(3) of the Representation of the People Act, 1950 [for brevity, "the Act of 1950"] for inclusion of names in the electoral roll. Learned Standing Counsel further submits that the petitioner has the remedy of appeal under Section 24 of the Act of 1950.

4. In the light of that, it will not be possible now to give any directions with regard to the inclusion of the petitioner's name in the electoral roll. However, the petitioner may prefer an appeal, as provided under Section 24 of the Act of 1950.



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5. With these observations, the writ petition stands disposed of.

There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

28.03.2024

Index : Yes/No
Neutral Citation : Yes/No

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To

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THE HON'BLE CHIEF JUSTICE
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D.BHARATHA CHAKRAVARTHY, J.

(drm)

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