



W.P.No.10534 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.10534 of 2024

Catherine Martin

.. Petitioner

Vs.

The Tamil Nadu Chief Election Commissioner
No.208/2, Jawaharlal Nehru Road
Opp. CMBT, Arumbakkam
Chennai 600 106.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus, directing the respondent to look into the issue and include the petitioner's name in the list of eligible voter and allow her to exercise her valuable right to elect parliamentarian (Chennai Central Constituency).

For the Petitioner : Ms.G.Selvi George

For the Respondent : Mr.Niranjan Rajagopalan
Standing Counsel



W.P.No.10534 of 2024

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ORDER

(Made by the Hon'ble Chief Justice)

Heard Ms.G.Selvi George, learned counsel for the petitioner and Mr.Niranjan Rajagopalan, learned Standing Counsel for the respondent.

2. Learned counsel for the petitioner submits that the petitioner was all along a voter in the Chennai Central Constituency for the last Parliamentary Election and the subsequent State Assembly Election, however, now, the name of the petitioner is illegally deleted. The petitioner is being deprived of the Right to Franchise.

3. Learned Standing Counsel appearing for the respondent relied upon Section 23(3) of the Representation of the People Act, 1950 [in short, "the Act of 1950"].

4. As per Section 23(3) of the Act of 1950, *"no amendment, transposition or deletion of any entry shall be made under section 22 and no direction for the inclusion of a name in the electoral roll of a constituency shall be given under this section, after the last date for*



W.P.No.10534 of 2024

WEB COPY

making nominations for an election in that constituency or in the parliamentary constituency within which that constituency is comprised and before the completion of that election."

5. It is submitted that the last date for filing the nominations was 27.03.2024. In view of bar engraved under Section 23(3) of the Act of 1950, no relief could be granted to the present petitioner.

6. The writ petition, as such, stands dismissed. There shall be no orders as to costs.

(S.V.G., CJ.)

(J.S.N.P., J.)

16.04.2024

Index : Yes/No
Neutral Citation : Yes/No

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To

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W.P.No.10534 of 2024

THE HON'BLE CHIEF JUSTICE
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J.SATHYA NARAYANA PRASAD, J.

(drm)

W.P.No.10534 of 2024

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