



W.P.No.12499 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2024

CORAM :

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

AND

THE HON'BLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.12499 of 2024

R.Suthanthira Kannan

.. Petitioner

Vs.

1. The Election Commission of India
Through Secretary
Nirvachan Sadan, Ashoka Road
New Delhi 110 001.

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

3. The Chief Electoral Officer
Public (Election) Department
Secretariat, Fort St. George
Chennai 600 009.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to make arrangements enabling the petitioner and other left out voters to cast their votes in the Lok Sabha election 2024 by including their name in the Voter's list before 04.06.2024.



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For the Petitioner : Mr.M.Mathan Raj

For the Respondents : Mr.Niranjan Rajagopal
Standing Counsel
for Respondent-1

Mr.S.Sivashanmugam
Standing Counsel
for Respondents 2 & 3

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.M.Mathan Raj, learned counsel for the petitioner, Mr.Niranjan Rajagopalan, learned Standing Counsel for the first respondent and Mr.S.Sivashanmugam, learned Standing Counsel for the respondents 2 and 3.

2. Learned counsel for the petitioner submits that the name of the petitioner was not included in the voters list. There are many persons whose names were not included in the voters list. The Election Commissioner filed an affidavit before the Supreme Court that they would reach to each and every voter and the notice would be given to each and every voter.



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3. Learned Standing Counsel for the first respondent submits that the affidavit of the petitioner suggests that he is a resident of Australia and is not an ordinary resident of the Constituency. He further submits, on oral instructions, that the name of the petitioner was removed in 2021 general election.

4. The polling has already taken place. The draft voters list was published on 27.10.2023 and the final voters list was published on 22.01.2024, as submitted by learned Standing Counsel for the first respondent. The petitioner did not raise any objection to the same.

5. In the light of the above factual aspects, no orders can be passed. The writ petition is disposed of. There shall be no order as to costs. Consequently, W.M.P.No.13654 of 2024 is closed.

(S.V.G., CJ.)

(G.C.S.,J.)

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Index : Yes/No
Neutral Citation : Yes/No
kpl



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THE HON'BLE CHIEF JUSTICE
AND
G.CHANDRASEKHARAN, J

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