



WEB COPY



WP No. 13239 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HON'BLE MRS. JUSTICE R. KALAIMATHI

W.P.No.13239 of 2024

G.Anbazhagan

.. Petitioner

Versus

1. The Chief Election Commissioner,
The Election Commission of India,
Nirvachan Sadan, Ashoka Road, New Delhi – 110 001.
2. The Chief Electoral Officer, [CEO],
Public [Elections] Department,
Secretariat, Fort St. George, Chennai – 600 009.
3. The District Election Officer,
Rippon Buildings, Chennai – 600 003.
4. The Returning Officer,
No.04 – Chennai Central Parliamentary Constituency,
Shenoy Nagar, Chennai.

5. Vinoj

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to take action against the fifth respondent Mr.Vinoj for violation of Conduct of Elections [Amendment] Rules, 2022 by considering the representation dated 17.04.2024 and 29.04.2024.



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For Petitioner : Mr.R.Hari

For Respondents : Mr.Niranjan,
Standing Counsel for R1 & R2

Mr.E.C.Ramesh
Standing Counsel for R3 & R4

ORDER

(Made by **A.D.JAGADISH CHANDIRA, J.**)

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The writ petition is filed by the petitioner to direct the respondents to take action against the fifth respondent Mr.Vinoj for violation of Conduct of Elections [Amendment] Rules, 2022 by considering the representations of the petitioner dated 17.04.2024 and 29.04.2024.

3. Since, no adverse order is passed against the fifth respondent, notice to the fifth respondent is dispensed with.

4. Heard both sides and perused the materials placed on record.



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5. Mr.Niranjan Rajagopalan, learned standing counsel for the Election Commission of India would submit that the question of filing of returns will arise only after the results are declared under Section 78 of the Representation of People Act, 1951. However, he would submit that a suitable reply will be given to the representations of the petitioner dated 17.04.2024 and 29.04.2024 within a period of two weeks.

6. Recording the submission of the learned standing counsel appearing for the Election Commission of India, this writ petition stands closed. No costs.

[A.D.J.C., J.] [R.K.M., J.]
08.05.2024

dhk

Internet : Yes
Index : Yes/No
Neutral Citation : Yes/No

To

1. The Chief Election Commissioner,
The Election Commission of India,
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2. The Chief Electoral Officer, [CEO],
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3. The District Election Officer,
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