



W.P.No.17086 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2024

CORAM :

THE HON'BLE MR.R.MAHADEVAN, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.17086 of 2024

M.Rajamanickam

.. Petitioner

Vs

- 1.The Chief Election Commissioner,
Election Commission of India,
Nirvachan Sadan,
Ashoka Road,
New Delhi-110 001.
- 2.The Chief Electoral Officer,
Public Elections Department,
Secretariat, Fort St. George,
Chennai-600 009.
- 3.The Returning Officer,
75-Vikravandi Assembly Constituency,
Vikravandi Taluk Office,
Villupuram District.

.. Respondents



W.P.No.17086 of 2024

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Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of certiorarified mandamus to quash the rejection order of the candidate/petitioner nominated by Desiya Makkal Sankthi Katchi by the third respondent uploaded through Election Commission Website in extract form and direct to accept the same in the Bye Election to 75-Vikravandi Assembly Election to be held on 10.07.2024.

For the Petitioner : Mr.M.L.Ravi

For the Respondents : Mr.Niranjan Rajagopalan

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

Heard Mr.M.L.Ravi, learned counsel for the petitioner and Mr.Niranjan Rajagopalan, learned counsel for the respondents.

2. This writ petition has been filed by the petitioner to quash the rejection of his nomination and to direct the respondent authorities to accept the same in the bye-election to 75-Vikravandi Assembly Election scheduled to be held on 10.7.2024.



W.P.No.17086 of 2024

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3. Today, when the writ petition is taken up for hearing learned counsel appearing for the respondents, by placing on record the order of the Returning Officer of the 75-Vikravandi Assembly Constituency dated 24.06.2024, submitted that there is discrepancy in the details given in Affidavit Form-26 Part A, Serial No.02 and Part B, Serial No.3. Therefore, the third respondent had rejected the nomination of the petitioner. He has also produced a copy of the rejection order, after serving a copy of the same on learned counsel for the petitioner.

4. As against the rejection order passed by the third respondent, the remedy lies elsewhere and no relief can be granted in the present writ petition.

5. Accordingly, the writ petition is dismissed. However, liberty is granted to the petitioner to challenge the order dated 24.6.2024 passed by the third respondent rejecting his nomination in accordance with law. There shall be no order as to costs.



W.P.No.17086 of 2024

Consequently, W.M.P.No.18840 of 2024 is closed.

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(R.M.D., ACJ.) (M.S.Q., J.)
27.06.2024

Index : Yes/No
NC : Yes/No
bbr

To:

- 1.The Chief Election Commissioner,
Election Commission of India,
Nirvachan Sadan,
Ashoka Road,
New Delhi-110 001.
- 2.The Chief Electoral Officer,
Public Elections Department,
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W.P.No.17086 of 2024

THE HON'BLE ACTING CHIEF JUSTICE
AND
MOHAMMED SHAFFIQ,J.

bbr

W.P.No.17086 of 2024

28.06.2024