



W.P.No.28442 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.28442 of 2024
and W.M.P.No.31013 of 2024

Ramesh Periyannan

... Petitioner

-Vs-

1. The District Collector,
Salem District.
2. The Commissioner,
Tamil Nadu State Election Commission,
No.208/2, Jawaharlal Nehru Road,
Opposite CMBT,
Arumbakkam, Chennai- 600 106.
3. The Assistant Commissioner,
Collector Office, Salem Zone,
Salem District.
4. The Execute Officer,
Election Commission Office,
Sentharapatti Town Panchayat,
Salem District.

5. S.Leelarani

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India
praying for the issuance of a Writ of Certiorarified Mandamus, to call for



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records on the file of the third Respondent in Proceedings Na.Ka.436/2023 dated 01.12.2023 and quash the same as illegal, incompetent and without jurisdiction and further direct the second respondent to initiate action as against 5th respondent on petitioner complaint 20.10.2023.

For Petitioner : M/s R.Poornima
For R1, R3
& R4 : Mr.S.Arumugam
Government Advocate

ORDER

This writ petition has been filed challenging the order passed by the third respondent dated 01.12.2023, thereby rejected the objections raised by the petitioner to reject the candidature of the fifth respondent.

2. Heard and perused the materials available on record.

3. The petitioner and the fifth respondent had contested the election for the post of President of Sendarapatti Town Panchayat which was held in the year 2022. The fifth respondent was elected as President of Sendarapatti Town Panchayat. The petitioner had lost the election to the post of President. After one year, the petitioner submitted a complaint



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before the third respondent alleging that the fifth respondent is qualified with M.A and B.Ed., but she had mentioned in the nomination form that she had completed +2. Further, in column 9 of the nomination form, where the name of the person proposing the candidature is to be furnished, the space was left vacant.

4. On receipt of the said complaint, the third respondent conducted enquiry and concluded that though the fifth respondent mentioned the qualification as +2 in the said application, there is no specific clause to mention the educational qualification. Only a minimum qualification of +2 is required, and hence, the fifth respondent stated it as +2. Further, it does not require any minimum or maximum educational qualification to contest for the post of President of Panchayat. Insofar as the Column No.9 is concerned, though the fifth respondent failed to mention the person who proposed her candidature, she had mentioned the Voter ID number in Column No.10.



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5. Therefore, the objections raised by the petitioner was rightly rejected by the third respondent. That apart, the petitioner lodged a complaint after a period of one year from the date of election and now, the fifth respondent is acting as a President of Sendarapatti Town Panchayat, Salem District.

6. In view of the above, this Court finds no infirmity or illegality in the order passed by the third respondent and the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petition is closed. No costs.

27.09.2024

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
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G.K.ILANTHIRAIYAN. J.

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