



W.P.No.29106 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.29106 of 2024

and

W.M.P.No.31773 of 2024

G.Jayammal

... Petitioner

Vs.

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Revenue Divisional Officer,
Kancheepuram Sub-Division,
Kancheepuram.

3.The Executive Engineer,
Water Resources Organisation,
Public Works Department,
Lower Palar Basin Division,
Kancheepuram.

4.S.Rathinam

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st and 2nd respondent to declare the petitioner as the President of the Managing



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Committee, Chinnivakkam Lake Water Users Association, Walajabad Taluk, Kancheepuram District pursuant to the Election Notification dated 28.08.2024 issued by the 1st respondent and the Form-25 List of Elected Candidates dated 20.09.2024 issued by the Returning Office i.e., the 2nd respondent, under the Tamil Nadu Farmers' Management of Irrigation Systems Election Rules, 2003.

For Petitioner : Mr.A.Suresh Sakthi Murugan

For Respondents : Mr.P.Muthu Kumar
Additional Advocate General
Assisted by
Mr.Yogesh Kannadasan
Special Government Pleader
[R1 to R3]

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents 1 and 2 to declare the petitioner as the President of the Managing Committee, Chinnivakkam Lake Water Users Association, Walajabad Taluk, Kancheepuram District pursuant to the Election Notification dated 28.08.2024 issued by the 1st respondent and the Form-25 List of Elected Candidates dated 20.09.2024 issued by the Returning Office i.e., the 2nd respondent, under the Tamil Nadu Farmers' Management of Irrigation Systems Election Rules, 2003.



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2. The case of the petitioner is that, on 28.08.2024, the 1st respondent issued election notification for the post of President and members of the Managing Committee of Water Users Associations in Kancheepuram District. The petitioner filed his nomination to the post of President, Managing Committee, Chinnivakkam Lake Water Users Association and the 4th respondent also filed his nomination to the said post. On 20.09.2024, the nomination of the 4th respondent was rejected by the 2nd respondent and the nomination of the petitioner was accepted by the 2nd respondent and thereafter, the 2nd respondent issued the Form-25 dated 20.09.2024 by showing the petitioner's name as the elected candidate for the post of President. When that being the position, without considering the Form-25 already issued in favour of the petitioner, the respondents decided to conduct the election on 30.09.2024. Therefore, the petitioner has given a representation before the respondents 1 and 2. Since the same was not considered, the petitioner has preferred the present writ petition.



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3. This court, vide order, dated 01.10.2024, directed the 2nd respondent to appear before this court on 04.10.2024, enabling this court to dispose of this writ petition, pursuant to which, when the matter is taken up for hearing today, Mr.P.I.Ashik Ali, Sub-Collector/Revenue Divisional Officer appeared before this court and submitted that Form-25 issue in favour of the petitioner was not brought to the notice of the 2nd respondent, thereby the consequential order dated 27.09.2024 was passed by the 2nd respondent. However, he submitted that he wants to withdraw the consequential order and seeks permission of this court to proceed the matter in accordance with law.

4. Recording the above submissions, this Writ Petition is closed. However, the respondents 1 to 3 are at liberty to proceed the issue in accordance with law. No costs. Consequently, the connected writ miscellaneous petition is closed.

04.10.2024

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp



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M.DHANDAPANI, J.

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