



W.P.No.9839 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 24.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

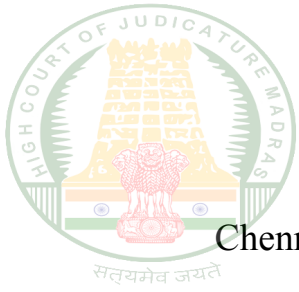
W.P.No.9839 of 2025
and
W.M.P.No.11053 of 2025

- 1.Appu Sivaraj
- 2.V.Doss
- 3.K.Muniyan
- 4.R.Krishnamoorthy

... Petitioners

Vs.

- 1.The Inspector General of Registration
No.100, Santhome High Road
Mullima Nagar, Mandavelipakkam
Raja Annamalaipuram
Chennai 600 028.
- 2.G.Rangaraj
The State President
Retired Officials Association
Amarar Narayanarao Maligai
Plot No.1740/B2, Shalom Building 2nd Floor
18th Main Road, Anna Nagar West



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3. Mr. A. Mohan

The General Secretary
Retired Officials Association
Amarar Narayanarao Maligai
Plot No.1740/B2, Shalom Building 2nd Floor
18th Main Road, Anna Nagar West
Chennai 600 040.

4. Mr. T.P. Ruthrappan

Ex-District President
Retired Officials Association
No.89/37, Attrankarai Street
Thiruvathipuram
Cheyyar 604 407.

5. Mr. Babu K. Radhakrishnan

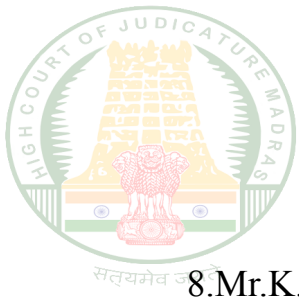
Ex-District Secretary
Retired Officials Association
Retired Officials Association
No.215/1, Perumal Nagar
Tiruvannamalai 606 601.

6. Mr. V. Kamalanathan

Ex-District Treasurer
Retired Officials Association
No.8/5, Ramalinganar 6th Street
Tiruvannamalai 606 601.

7. Mr. M. Raghupathy

The District Election Commissioner
Retired Officials Association
Tiruvannamalai District Election 2024-2024
Kilperumpakkam
Villupuram 605 602.



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8.Mr.K.Vasu

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The District Assistant Election Commissioner
Retired Officials Association
Tiruvannamalai District Election 2024-2027
No.4/28, V.O.C.Street
Polur 606 803
Tiruvannamalai District.

....Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to consider the representation dated 04.02.2025 and to conduct enquiry regarding Election Proceedings of Retired Officials' Association, Tiruvannamalai District for the period of 2024-2024 dated 18.12.2024 including the results for District Level Office bearers in our Retired Officials' Association published on 26.12.2024 and by directing the respondents to conduct free and fair Election in all level for the Retired Official's Association and pass such other suitable orders as this Court may deem fit and proper in the above circumstances.

For Petitioners : M/s.S.Suseela Devi

For Respondents : Mr.P.Harish for R1
Government Advocate



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ORDER

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This Writ Petition is filed for a Writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 04.02.2025 and to conduct enquiry regarding the election proceedings of the Retired Officials Association, Thiruvannamalai District, for the period of 2024-2027 dated 18.12.2024 including the results for District Level Office bearers in their Retired Officials Association published on 26.12.2024.

2. Upon hearing the learned counsel for the petitioners and perusing the affidavit filed in support of the application, it can be seen that the grievance of the petitioner is that the election is tainted with malpractices and several exercises were committed. In respect thereof, a representation is made to the first respondent and now the prayer is made to consider the said representation. However, in view of the Full Bench Judgment in *C.M.S Evangelical Suvi David Memorial Higher Secondary School Committee and Ors, Vs. The District Registrar and Ors*¹, it is now very clear that with

¹ 2005 (2) CTC 161



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reference to election disputes, the first respondent cannot conduct a roving enquiry and it is for the party to establish those malpractices by approaching the concerned Civil Court. The learned counsel would bring to the notice of this Court that the Election is conducted in state level, there is apprehension in the concerned District about entertaining the Civil Suit.

3. When the cause of action has partly or fully arisen in the Tiruvannamalai District also, it is very clear that the Courts in Tiruvannamalai District are entitled to entertain the Civil Suit and if and when any Civil Suit is filed, since the matter relates to election and the period itself will be over if the matter is not expeditiously disposed of as and when the Civil Suit is filed, the appropriate Civil Court may entertain the same and also strive to decide the same as expeditiously as possible. Keeping open such liberty to the petitioner, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

24.03.2025
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Neutral Citation : No
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To

The Inspector General of Registration
No.100, Santhome High Road
Mullima Nagar, Mandavelipakkam
Raja Annamalaipuram
Chennai 600 028.



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D.BHARATHA CHAKRAVARTHY, J.

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