



WEB COPY

W.P.No.37515 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No. 37515 of 2024

M.Mani

... Petitioner

Vs.

1.The Election Commission of India,
Nirvachan Sadan, Ashoka Road,
New Delhi - 110 001.

2.The Chief Election Commissioner,
Secretariat to Government,
St.George Fort, Chennai - 600 009.

3.The Electoral Registration Officer / Zonal Officer,
Zone 10, Greater Chennai Corporation,
No.24, Thiyagaraya Nagar Assembly Constituency,
117, NSK Salai, Kodambakkam, Chennai - 600 024.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of Writ of Mandamus, directing the 1st and 2nd respondents to reinstate the petitioners name in the Electoral Roll in Part-26, Zone 130 of the Thiyagaraya Nagar Legislative Assembly Constituency and South Chennai Parliamentary Constituency and also directing the 1st and 2nd respondents to initiate appropriate action against the delinquent Booth Level Officer for taking away the petitioner's constitutional right to vote guaranteed under the Constitution of India.

1/5



WEB COPY

W.P.No.37515 of 2



For Petitioner : Mr.Y.T.Aravind Gosh

For Respondents : Mr.Niranjan Rajagopalan
for M/s.G.R.Associates

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

It is the complaint of the petitioner that his name has been removed without assigning reason from the Electoral Roll. Soon after the filing of this writ petition, the Electoral Roll was rectified and the petitioner's name was put back in the Electoral Roll. Finding that such removals are happening as a routine, we had directed the Election Commission to file an affidavit setting out the steps taken to weed out such malpractices.

2. Tmt.Archana Patnaik, I.A.S, Chief Electoral Officer of Tamil Nadu has filed an affidavit re-producing the provisions contained in the rules relating to revision of Electoral Roll and has made an assurance that the directions contained therein have been scrupulously adhered to.

3. If only the directions had been scrupulously adhered to, the name of the petitioner would not have been removed. It is also seen that the Election Commission has issued notices to the Officers who are responsible



W.P.No.37515 of 2

for the revision of Electoral Rolls, requiring them to show cause as to why action should not be taken against them for dereliction of duty in not supervising the work of the temporary staff.

4. Though Mr.Y.T.Aravind Gosh, learned counsel for the petitioner is very apprehensive about the statements made in the affidavit of the Chief Electoral Officer, we have no other option but, to take it with the pinch of salt. We direct the Election Commission of India to ensure that the guidelines which are in place are followed scrupulously without giving an option for challenges like this in future. It is also stated that the action has been initiated against the Officials responsible for the removal of the name of the petitioner. Such action shall be pursued to its logical conclusion.

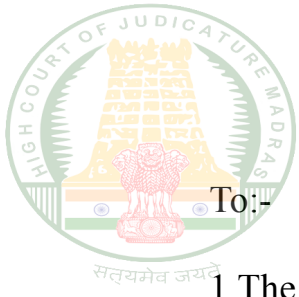
5. This Writ Petition is **disposed of** with the above directions. No costs.

(R.S.M., J.) (G.A.M., J.)
17.04.2025

kkn

Index: No
Speaking order
Neutral Citation : No

3/5



To:-

- 1.The Election Commission of India,
Nirvachan Sadan, Ashoka Road,
New Delhi - 110 001.
- 2.The Chief Election Commissioner,
Secretariat to Government,
St.George Fort, Chennai - 600 009.
- 3.The Electoral Registration Officer / Zonal Officer,
Zone 10, Greater Chennai Corporation,
No.24, Thiyagaraya Nagar Assembly Constituency,
117, NSK Salai, Kodambakkam,
Chennai - 600 024.



WEB COPY



W.P.No.37515 of 2

R.SUBRAMANIAN, J.
and
G. ARUL MURUGAN, J.

KKN

W.P.No. 37515 of 2024

17.04.2025