



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on:19.01.2026

Pronounced on: 30.01.2026

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THE HONOURABLE MR.JUSTICE P.B.BALAJI

CRP. No.4664 of 2025

R.Prakash

Petitioner(s)

Vs

1.The Tamil Nadu State Election Commissioner,
Koyambedu, Chennai.

2.The District Collector,
Kanchipuram.

3.The Election Officer/Block Development Officer,
Kanchipuram Panchayat Union,
Kanchipuram District.

4.K.Karthikeyan

Respondent(s)

PRAYER: This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the impugned order dated 04.04.2025 passed in Election O.P. No.70 of 2021 on the file of the Hon'ble Principal District and Sessions Judge at Kanchipuram.

For Petitioner : Mr.B.Pachaiyappan
For Respondents : Mr.V.Ramesh,
Government Advocate for R1 & R2
Mr.P.Gurunathan for R3
Mr.V.Janarthanan for R4

ORDER



The revision petitioner challenges the dismissal of Election O.P No.70 of 2021 on the file of the learned Principal District and Sessions Court, Kanchipuram.

2. I have heard Mr.B.Pachaiyappan, learned counsel for the appellant, Mr.V.Ramesh, learned Government Advocate for R1 & R2, Mr.P.Gurunathan learned counsel for the third respondent and Mr.V.Janarthanan, learned counsel for the 4th respondent.

3. The learned counsel for the revision petitioner would submit that the Election OP was filed by the petitioner challenging the election of the 4th respondent on the ground that the 4th respondent had not disclosed ownership of Royal Enfield, bearing Reg. No.TN 21 AR 5115. According to the learned counsel for the petitioner, the same amounts to suppression and despite, the material suppression being brought to the notice of the authorities, no action has been taken thereon.

4. Inviting my attention to the impugned order, Mr.Pachaiyappan, learned counsel would also states that the Trial Court has not suited the petitioner on two grounds viz., (i) belated complaints having been made and (ii) by accepting the evidence of R.W.3, who was examined on the side of the 4th respondent, in



order to support the claim of sale of the said vehicle to R.W.3. The learned counsel would also invite my attention to the document under which the said vehicle is alleged to have been transferred to R.W.3 by the 4th respondent and the learned counsel contends that the original of the said documents has not been filed before the Trial Court and further, the stamp paper has been issued in Erode whereas on the same day, it has been sold to the 4th respondent/R.W.3 at Meenjur close to Chennai. Relying on the same, the learned counsel states that all is not well, with the said document and the Trial Court ought not to have relied on the same to accept the version projected by the 4th respondent.

5. Per contra, Mr.Gurunathan, learned counsel appearing for the third respondent would state that insofar as the vehicle bearing registration No.TN 21 AR 5115, the revision petitioner has not objected to the ownership of the said vehicle being with the 4th respondent. In this regard, he would state that the petitioner was given time upto 10 a.m on 24.09.2021 for objections and the petitioner did not bring it to the notice of the third respondent and therefore, there is no infirmity with the action taken by the Returning Officer accepting nomination of the 4th respondent in terms of the Tamil Nadu Panchayat (Elections) Rules, 1995.



6. The learned counsel appearing for the 4th respondent would contend that a complaint was given as against the revision petitioner by the 4th respondent and the objections were also invited from the revision petitioner himself during 24.09.2021 (10 a.m), however, the petitioner did not even appear and give his explanations to the Returning Officer and therefore, the nominations of the petitioner had been rejected, that too in terms of the Election Rules. The learned counsel would therefore also prays for dismissal of the revision.

7. I have carefully considered the submissions advanced by the learned counsel for the parties.

8. The revision petitioner as well as the 4th respondent had filed nominations for being elected to the post of Village Panchayat Ward Member. As against the petitioner, the 4th respondent had made certain allegations and the third respondent has called for explanation from the petitioner. Despite sufficient time being given to the petitioner, the petitioner did not choose to give his explanation and hence, the nomination of the petitioner was rejected. Similarly, the petitioner had given a complaint against the 4th respondent, with regard to the 4th respondent possessing a Royal Enfield Motor Bike and that he had hidden information regarding ownership of the said vehicle besides also



details of valuable properties held in the names of dependants like father and mother of the 4th respondent. The complaint regarding the motor vehicle has been given by the petitioner, through lawyer, on 01.10.2021 only.

9. As pointed out by Mr.P.Gurunathan, learned counsel for the third respondent, the last date for giving objections was after closing of the nominations, so that at the time of scrutiny of nominations, the objections can be taken up and after hearing the parties concerned, suitable orders can be passed. The closing date for nominations was 23.09.2021 and the complaint admittedly, against the 4th respondent, was not given before the nomination of the 4th respondent was accepted. In fact, when it was pointed out to the learned counsel for the petitioner he states the objections was given orally in time. However, I do not find any material in this regard to accept the submission of the learned counsel that oral objections had been given to the third respondent, in time. In the light of the above, no fault can be found with the third respondent for having scrutinised the nominations and accepting nominations of the 4th respondent.

10. In the light of the above, the very complaint itself being belated, the Election OP has been rightly dismissed by the learned District Judge No.II, Kanchipuram. Even otherwise, it has been established by the 4th respondent



that he has sold the vehicle to R.W.3. R.W.3, has been examined in the Election OP and he has also stated that he has purchased the said motor bike from the 4th respondent on 17.11.2015 itself and since the original RC book had been lost, necessary entries could not be made in the Regional Transport Authorities records. R.W.3 has been cross examined by the petitioner and I do not find any dent made with regard to the version projected by R.W.3 in chief examination. Therefore, from the oral evidence of R.W.3 as well, the Trial Court has come to the conclusion that the 4th respondent did not own the vehicle on the relevant date. I do not find any perversity in the appreciation of evidence in this regard, warranting interference, especially having already found that the petitioner did not give his objections before acceptance of the nomination of the 4th respondent.

11. In the light of the above, I do not see any merits in the revision. Consequently, this Civil Revision Petition is dismissed. No costs.

30.01.2026

rkp
Neutral Citation Case : Yes/No
Internet: Yes/No
Index : Yes/No

To:

The Principal District and Sessions Judge,

6/8



Kanchipuram.

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P.B.BALAJI, J.,

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Pre-delivery order in
CRP. No.4664 of 2025



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30.01.2026