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W.P.(MD) No.9792 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.(MD) No.9792 of 2024

C.Selvakumar

.. Petitioner

Vs

1.The Chief Election Commissioner of India,
Nirvachansadan,
Ashoka Road, New Delhi-110 001.

2.The Chief Electoral Officer,
State of Tamil Nadu,
Public (Elections) Department,
Secretariat, Fort St. George,
Chennai-600 009.

3.The Returning Officer Cum District Collector,
O/o The District Collector,
Virudhu Nagar,
Virudhu Nagar District.

4.B.Manickam Tagore
5.N.R.Kamaraj

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 3 to take action against the respondent No.4 on basis of the on line

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complaint dated 14.4.2024 and consequently disqualify the respondent No.4 for violation of model code of conduct of election as per the Peoples Representation Act, 1951 and Code of Conduct Rules, 1961.

For the Petitioner : Mr.B.Satish Sundar
for M/s.P.Dhanapal

For the Respondents : Mr.Niranjan Rajagopalan
Standing Counsel
for respondents 1 to 3

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.B.Satish Sundar, learned counsel for M/s.P.Dhanapal, learned counsel for the petitioner; and, Mr.Niranjan Rajagopalan, learned Standing Counsel for respondents 1 to 3.

2. The petition is filed seeking directions against respondents 1 to 3 to take action against the fourth respondent on the basis of the online complaint dated 14.4.2024 and disqualify the fourth respondent.



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3. The complaint is already filed by the petitioner on 14.4.2024. It is submitted that even an FIR has been registered in Crime No.77 of 2024. The law would take its own course.

4. As the complaint is already filed by the petitioner to the Election Commission of India, it is for the Election Commission of India to consider the said complaint on its own merits.

The writ petition, as such, is dismissed. There shall be no order as to costs. Consequently, W.M.P.(MD) No.8885 of 2024 is closed.

(S.V.G., CJ.)

(J.S.N.P., J.)

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Index : Yes/No
Neutral Citation : Yes/No
sasi



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THE HON'BLE CHIEF JUSTICE
AND
J.SATHYA NARAYANA PRASAD,J.

(sasi)

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