

ITEM NO.40

COURT NO.1

SECTION XII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).10051-10059/2018

(Arising out of impugned final judgment and order dated 09-04-2018 in WMP No.7255/2018 09-04-2018 in WMP No.7254/2018 09-04-2018 in WMP No.7253/2018 12-04-2018 in WMP No.7255/2018 12-04-2018 in WMP No.7254/2018 12-04-2018 in WMP No.7253/2018 12-04-2018 in WPMD No. 6909/2018 12-04-2018 in WPMD No.7186/2018 12-04-2018 in WPMD No. 7620/2018 passed by the High Court of Judicature at Madras at Madurai)

ELECTION COMMISSION TAMIL NADU STATE CO OPERATIVE  
SOCIETIES & ANR.

Petitioner(s)

VERSUS

R. SAKKARAPANI &amp; ORS.

Respondent(s)

WITH

Diary No(s). 14687/2018 (XII)

Date : 20-04-2018 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Mr.Mukul Rohatgi, Sr.Adv.  
Mr. Abhay Kumar, AOR  
Mr.M.S.Palaniswamy, Adv.  
Mr.Karuna Karan, Adv.  
Mr.M.Thangathurai, Adv.  
Mr.Saurabh Mishra, Adv.  
Mr.Sidhartha Iyer, Adv.  
Mr.Himanshu Pal, Adv.

Mr.Subramonium Prasad, Sr.Adv.  
Mr. Vinodh Kanna B., AOR  
Mr.A.Sriram, Adv.

For Respondent(s) Mr. Amit Anand Tiwari, AOR  
Mr.P.Mahendran, Adv.  
Mr.Shashwat Singh, Adv.  
Ms.Harshal Gupta, Adv.  
Mr.B.Karuna Karan, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Heard Mr.Mukul Rohatgi, learned senior counsel for the petitioners, Mr.Subramonium Prasad, learned senior counsel for the State of Tamil Nadu and Mr.Amit Anand Tiwari, learned counsel appearing on behalf of the first respondent.

It is submitted by Mr.Mukul Rohatgi, learned senior counsel that the High Court has erred in law while staying the ongoing election process. Per contra, Mr.Amit Anand Tiwari, learned counsel would contend that approximately 1,40,000 people had filed their nomination papers out of which approximately 70,000 nomination papers have been accepted. It is his further submission that these all 70,000 persons whose nomination papers have been accepted inevitably shall be elected un-opposed. This fact is disputed by Mr.Mukul Rohatgi, learned senior counsel for the petitioners.

Let an affidavit be filed by the first respondent, in this regard, by giving proper data, within a week hence.

The assisting counsel of Mr.Mukul Rohatgi and Mr. Subramonium Prasad, learned senior counsel shall also file an affidavit in this regard.

Let the matter be listed on 03.05.2018.

In the meantime, the voting shall take place but no result shall be declared without the leave of this Court.

(Chetan Kumar )  
Court Master

(H.S.Parasher)  
Assistant Registrar