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GOVERNMENT OF TAMIL NADU
2026

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TAMIL NADU GOVERNMENT GAZETTE

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No.410] CHENNAI, WEDNESDAY, SEPTEMBER 23, 2026
Purattasi 6, Parabhava, Thiruvalluvar Aandu–2057

Part V—Section 4

Notification by the Election Commission of India

NOTIFICATION BY THE ELECTION COMMISSION OF INDIA

JUDGMENT OF THE HIGH COURT OF MADRAS IN ELECTION PETITION No.36 OF 2026

No. SRO G–27/2026.

The following Notification of the Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi-110 001, dated 19th August, 2026 [28 Shravan,1948 (Saka)] is published:

No. 82/TN-LA/(EP 36 of 2026)/2026:- In pursuance of section 106(b) of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the Order of the Hon'ble High Court of Madras dated 22.07.2026 in Election Petition No.36 of 2026.

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(ORDINARY ORIGINAL CIVIL JURISDICTION)
WEDNESDAY, THE 22nd DAY OF JULY 2026
THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN
Election Petition No. 36 of 2026

V.PON.PANEERSELVAM
S/o. Ponnambalam,
Aged about 61 years,
Residing at No.23,
Virachilai I Bit (R.V.) and P.O.,
Virachilai,
Pudukkottai District - 622 412.

...Petitioner

-Vs-

1. S.REGUPATHY
   S/o.Late Ana.Sevugan,
   Aged about 75 years,
   Member of Legislative Assembly (181-Thirumayam),
   Residing at T.S.No.3108,
   Keezha Second Street,
   Pudukkottai – 622 001.

2. Mrs. R.SAROJA AACHI
   W/o.S.Regupathy,
   Aged about 75 years,
   Residing at T.S.No.3108,
   Keezha Second Street,
   Pudukkottai – 622 001.

3. THE RETURNING OFFICER
   181,Thirumayam Assembly Constituency,
   Pudukkottai District,
   Tamil Nadu.

...Respondents

The Election Petition praying that this Hon'ble court be pleased (I) to declare the election of the 1st Respondent, Mr.S.Regupathy, from the 181-Thirumayam Assembly Constituency in the 2026 Tamil Nadu Legislative Assembly Election declared on 04.05.2026 as null and void under Section 100(1)(b) and Section 100(1)(d)(i) and (iv) of the Representation of the People Act, 1951 (b) to hold that the 1st Respondent is guilty of committing the corrupt practice of "Undue Influence" under Section 123(2) of the Representation of the People Act, 1951 for the deliberate suppression and false declaration of his spouse's assets and income anomalies in the statutory Form 26 Affidavit; (c) to Award the exemplary costs of this Election Petition in favor of the Petitioner.

The Election Petition coming on this day before this Court for hearing in the presence of S.Arivazhagan advocate for the Election Petitioner, and upon reading the Election Petition and Affidavit of V.Pon Panneerselvam filed herein and this court having observed that the Election Petition has been presented by the learned counsel appearing for the petitioner and not by the petitioner himself and thus the mandatory requirement under Rule 7 of the Madras High Court Election Petitions

Rules 1967 has not been compled with and that the present Election Petition is not maintainable.

It is ordered as follows:-

(i) That the Election Petition No.36 of 2026 be and is hereby dismissed.

(ii) That there shall be no order as to costs.

WITNESS, THE HON'BLE MR.JUSTICE SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE HIGH COURT AT MADRAS AFORESAID,
THIS THE 22nd DAY OF JULY 2026.

Sd./-
ASSISTANT REGISTRAR
Original Side-II

//Certified to be true copy//

Dated at Madras this the 29th day July 2026.

COURT OFFICER(O.S)

'Madras High Court is issuing certified copies in this format from 17/07/2023'.

MK
28/07/2026

ELP.No.36 OF 2026

THE HON'BLE MR.JUSTICE
G.K.ILANTHIRAIYAN

DECREE DATED:22/07/2026

FOR APPROVAL:29/07/2026

APPROVED ON:29/07/2026

Copy to:

1. The Returning Officer
   181, Thirumayam Assembly
   Constituency, Pudukkottai
   District, Tamil Nadu.

2. The Chief Election Commissioner,
   Election Commission of India,
   Nirvachan Sadan, No.1,
   Ashoka Road,
   New Delhi – 110 001.

3. The Chief Electoral Officer,
   Tamil Nadu, Public
   (Elections) Department,
   Secretariat, Fort St.George,
   Chennai – 600 009.

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The Election Petition praying that this Hon'ble court be pleased (I) to declare the election of the 1st Respondent, Mr.S.Regupathy, from the 181-Thirumayam Assembly Constituency in the 2026 Tamil Nadu Legislative Assembly Elections declared on 04.05.2026 as null and void under Section 100(1)(b) and Section 100(1)(d)(i) and (iv) of the Representation of the People Act, 1951 (b) to hold that the 1st Respondent is guilty of committing the corrupt practice of "Undue Influence" under Section 123(2) of the Representation of the People Act, 1951 for the deliberate suppression and false declaration of his spouse's assets and income anomalies in the statutory Form 26 Affidavit; (c) to Award the exemplary costs of this Election Petition in favor of the Petitioner.

The Election Petition coming on this day before this Court for hearing in the presence of S.Arivazhagan advocate for the Election Petitioner, and upon reading the Election Petition and Affidavit of V.Pon Paneerselvam filed herein and

The Court made the following order:-

This Election Petition has been presented by the learned counsel appearing for the petitioner seeking a declaration that the election of the first respondent in the Tamil Nadu Legislative Assembly General Election is null and void.

2. However, Rule 7 of the Madras High Court Election Petitions Rules, 1967, mandates that every Election Petition shall be presented by the petitioner in person before the II Assistant Registrar, Original Side, High Court or, in his absence, before such Officer of the Court as the Registrar of the High Court may direct. The said Rule reads as follows:

> "*7. Every Election Petition shall be Presented by the petitioner before the II Assistant Registrar, Original Side, High Court or in his absence, before such Officer of Court, as the Registrar of the High Court may direct."*

3. A plain reading of the above Rule makes it clear that an Election Petition has to be presented by the petitioner in person. In the present case, admittedly, the Election Petition has been presented by the learned counsel appearing for the petitioner and not by the petitioner himself. Thus, the mandatory requirement under Rule 7 of the Madras High Court Election Petitions Rules, 1967 has not been complied with.

4. In view of the above, this Court is of the considered view that the present Election Petition is not maintainable. Accordingly, the Election Petition is dismissed. No costs.

WITNESS, THE HON'BLE MR.JUSTICE SUSHRUT ARVIND DHARMADHIKARI, CHIEF JUSTICE HIGH COURT AT MADRAS AFORESAID, THIS THE 22nd DAY OF JULY 2026.

Sd./-
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3. The Chief Electoral Officer,
   Tamil Nadu, Public
   (Elections) Department,
   Secretariat, Fort St.George,
   Chennai – 600 009.

(By Order)

LATA TRIPATHI,
Secretary,
Election Commission of India.

Secretariat,
Chennai-600 009,
23rd September, 2026.

ARCHANA PATNAIK,
Chief Electoral Officer and
Principal Secretary to Government.

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CHENNAI ON BEHALF OF THE GOVERNMENT OF TAMIL NADU