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GOVERNMENT OF TAMIL NADU
2026

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TAMIL NADU GOVERNMENT GAZETTE

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Purattasi 29, 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.45 OF 2026

No. SRO G-32/2026.

The following Notification of the Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi-110 001, dated 24th September, 2026 [02 Asvina,1948 (Saka)] is published:-

No. 82/TN-LA/(EP 45 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 18.08.2026 in Election Petition No.45 of 2026.

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(ORDINARY ORIGINAL CIVIL JURISDICTION)
FRIDAY, THE 18th DAY OF AUGUST 2026
THE HON'BLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

Election Petition No. 45 of 2026
AND
OA.Nos.749 and 795 of 2026

ELP.No.45 OF 2026:-

C.GEETHA
D/o.Chinnadurai,
Residing at No.216,
Pillaiyar Kovil Street,
Athikanur Post,
Kannandahalli,
Bargur Taluk, Krishnagiri District,
Tamil Nadu - 635 203. *….Petitioner*

-Vs-

1. DR. N.ELAIYARAJA
S/o.Natesan,
The Returned Candidate at the
General Elections to the
Tamil Nadu Legislative Assembly, 2026,
from the 51-Uthangarai (SC)
Assembly Constituency,
Residing at No.19T, Salem Main Road,
Kamaraj Nagar, Uthangarai Post and Taluk,
Krishnagiri District - 635 207.

2. THE ELECTION COMMISSION OF INDIAN
Narvachan Sadan,
Ashoka Road, New Delhi-110 001.

3. THE RETURNING OFFICER
51-Uthangarai (SC) Assembly Constituency,
Krishnagiri District.

4. THE CHIEF ELECTORAL OFFICER
Tamil Nadu Election Commission of India,
Public (Elections) Department,
Secretariat, Fort St.George,
Chennai - 600 009. *…Respondents*

The Election petition praying that this Hon'ble court be pleased (i) Declare that the election of the Respondent No.1, E.C.Govindarasan, as the returned candidate from the 51-Uthangarai (SC) Assembly Constituency in the General Elections to the Tamil Nadu Legislative Assembly 2026 is void under Section 100 (1)(c) of the Representation of People Act, 1951 on the ground that the nomination of the Petitioner was improperly rejected, and accordingly set aside the said election for the said constituency (ii) Award to the Petitioner the costs of and incidental to this Election Petition.

OA.No.749 OF 2026:-

DR.N.ELAIYARAJA
S/o.Natesan,
The Returned Candidate at the
General Elections to the
Tamil Nadu Legislative Assembly, 2026,
from the 51-Uthangarai (SC)
Assembly Constituency,
Residing at No.19T, Salem Main Road,
Kamaraj Nagar, Uthangarai Post and Taluk,
Krishnagiri District - 635 207. *….Applicant/1st Respondent*

-Vs-

C.GEETHA
D/o. Chinnadurai, aged about 40 years,
Residing at No.216,
Pillayar Kovil Street,
Athikanur Post, Kannadahalli,
Barugu Taluk, Krishnagiri District,
Tamil Nadu 635 203. *…Respondent/Petitioner*

2. THE ELECTION COMMISSION OF INDIA
Nirvachan Sadan,
Ashoka Road,
New Delhi 110 001.

3. THE RETURNING OFFICER
51, Uthangarai SC Assembly Constituency,
Krishnagiri District.

4. THE CHIEF ELECTORAL OFFICER, TAMIL NADU
Election Commission of India,
Public(Elections) Department,
Secretariat, Fort St. George,
Chennai - 600 009. *…Respondents/Respondents*

The Original Application praying that this Hon'ble Court be pleased to Reject the election Petition in ELP No.45 of 2026 as not maintainable and consequently dismiss the same with exemplary costs.

OA.No.795 OF 2026:-

C.GEETHA
D/o.Chinnadurai, Aged about 40 years,
Residing at No.216,
Pillaiyar Kovil Street,
Athikanur Post,
Kannandahalli,
Bargur Taluk, Krishnagiri District,
Tamil Nadu - 635 203. .... *Petitioner/ Petitioner*

-Vs-

1. MR.DR.N.ELAIYARAJA
S/o.Natesan, The Returned Candidate at the General Elections to the Tamil Nadu Legislative Assembly, 2026 from the 51-Uthangarai (SC) Assembly Constituency,
Residing at No.19T,
Salem Main Road,
Kamaraj Nagar,
Uthangarai Post and Taluk,
Krishnagiri District- 635 207.

2. THE ELECTION COMMISSION OF INDIA
Nirvachan Sadan,
Ashoka Road,
New Delhi-110 001

3. THE RETURNING OFFICER
51-Uthangarai (SC) Assembly Constituency,
Krishnagiri District

4. THE CHIEF ELECTORAL OFFICER
Tamil Nadu, Election Commission of India,
Public (Elections) Department,
Secretariat, Fort.St George,
Chennai - 600 009.

The Original Application praying that this Hon'ble Court be pleased to permit the petitioner to amend the Election Petition in E.L.P.No.45 of 2026 as per the Schedule of the Amendment.

The above Election Petition and Original Applications having been heard on 11.08.2026 in the presence of Mr. M.Venkatesh Advocate for the Election Petitioner/ Applicant in OA.No.795 of 2026/1st Respondent in OA.No.749 of 2026, herein; Mr.I.Siddiq for M/s.Dass and Viswa Associates, Advocate for Respondent No.1 in ELP.No.45 of 2026 and OA.No.795 of 2026/ Applicant in OA.No.749 of 2026, herein; Mr.Niranjan Rajagopalan, Advocate for Respondent No.2 to 4 in Election Petition herein; and upon reading the Election Petition and Affidavit filed in Original Applications herein; and having stood over for consideration till this date and coming on this day before this Court for orders in the presence of said advocates for the parties

hereto and this court having observed that the nomination was rejected because the petitioner's name was not on the electoral roll, thus the nomination was correctly rejected, the petitioner herself is aggrieved by the removal of her name from the rolls, accordingly, she contends that the removal was erroneous and that she is therefore entitled to the relief, and the petitioner had already filed W.P.No.13550 of 2026 seeking to restore her name and to accept her nomination in the election, the prayer was rejected on merits vide order dated 07.04.2026 and the Special Leave Petition preferred by the petitioner was also dismissed by the Hon'ble Supreme Court of India and thus even taking all the averments in the petition as true, the petition does not disclose a cause of action to challenge the election of the first respondent, and hence the petition is liable to be dismissed and the Election Petition is filed on 17.06.2026 whereas, an application to amend the name to Dr.N.Elaiyaraja is filed on 24.07.2026 in O.A.No.795 of 2026 and it is stated in the affidavit filed in support of the application that it is a clerical and typographical error and obviously it cannot be a clerical or typographical error, during the course of the arguments, it was submitted that the petitioner filed two identical Election Petitions and therefore, it is a cut-and-paste mistake that the name of the returned candidate, in the other Election Petition, is wrongly mentioned in the present Election Petition also, but the said reason is not mentioned in the affidavit filed in support of the application and though a clerical or typographical error is curable, in this case, it is not a clerical or typographical error, and the plea that it is a cut-and-paste error is not raised in the affidavit filed in support of the application, and hence OA.No.795 of 2026 stands rejected, once OA.No.795 of 2026 is rejected, the Election Petition prays for setting aside the election of a wrong person, not the first respondent, and is therefore liable to be rejected, the prayer in O.A.No.749 of 2026, filed to reject the petition deserves, to be allowed.

it is ordered as follows:-

(i) That the OA.No.795 of 2026 be and is hereby dismissed.

(ii) That the O.A.No.749 of 2026, filed to reject the Election Petition, stands allowed and consequently, the Election Petition No.45 of 2026 be and is hereby rejected.

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

(iv) That the Security Deposit shall be refunded to the Petitioner herein.

WITNESS, THE HON'BLE MR.JUSTICE SUSHRUT ARVIND DHARMADHIKARI, CHIEF JUSTICE HIGH COURT AT MADRAS AFORESAID, THIS THE 18th DAY OF AUGUST 2026.

Sd./-
ASSISTANT REGISTRAR
Original Side-II (I/C)

//Certified to be true copy//

Dated at Madras this the 07th day of September 2026.

COURT OFFICER (O.S)

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

MK
02/09/2026

ELP.No.45 OF 2026
and
OA.Nos.749 and 795 of 2026

THE HON'BLE MR. JUSTICE
D.BHARATHA
CHAKRAVARTHY

DECREE DATED: 18/08/2026

FOR APPROVAL: 03/09/2026

APPROVED ON: 03/09/2026

Copy to:

1. The Returning Officer,
   51-Uthangarai (SC)
   Assembly Constituency
   Krishnagiri District.

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.

4. Account Section,
   High Court, Madras

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-Vs-

1. DR.N.ELAIYARAJA
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4. THE CHIEF ELECTORAL OFFICER
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Public (Elections) Department,
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The Election petition praying that this Hon'ble court be pleased (i) Declare that the election of the Respondent No.1, E.C.Govindarasan, as the returned candidate from the 51-Uthangarai (SC) Assembly Constituency in the General Elections to the Tamil Nadu Legislative Assembly 2026 is void under Section 100 (1)(c) of the Representation of People Act, 1951 on the ground that the nomination of the

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OA.No.749 OF 2026:-

DR.N.ELAIYARAJA
S/o.Natesan,
The Returned Candidate at the
General Elections to the
Tamil Nadu Legislative Assembly, 2026,
from the 51-Uthangarai (SC)
Assembly Constituency,
Residing at No.19T, Salem Main Road,
Kamaraj Nagar, Uthangarai Post and Taluk,
Krishnagiri District - 635 207. *.... Applicant/ 1st Respondent*

-Vs-

1. C.GEETHA
D/o. Chinnadurai, aged about 40 years,
Residing at No.216,
Pillayar Kovil Street,
Athikanur Post, Kannadahalli,
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Tamil Nadu 635 203. *…Respondent/Petitioner*

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Krishnagiri District

4. THE CHIEF ELECTORAL OFFICER, TAMIL NADU
Election Commission of India,
Public(Elections) Department,
Secretariat, Fort St. George,
Chennai - 600 009. *…Respondents/Respondents*

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OA.No.795 OF 2026:-

C.GEETHA
D/o.Chinnadurai, Aged about 40 years,
Residing at No.216,
Pillaiyar Kovil Street,
Athikanur Post,
Kannandahalli,
Bargur Taluk, Krishnagiri District,
Tamil Nadu - 635 203. *…Petitioner/Petitioner*

-Vs-

1. MR.DR.N.ELAIYARAJA
S/o.Natesan, The Returned Candidate at the General Elections to the Tamil Nadu Legislative Assembly, 2026 from the 51-Uthangarai (SC) Assembly Constituency,
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The above Election Petition and Original Applications having been heard on 11.08.2026 in the presence of Mr.M.Venkatesh Advocate for the Election Petitioner/ Applicant in OA.No.795 of 2026/1st Respondent in OA.No.749 of 2026, herein; Mr.I.Siddiq for M/s.Dass and Viswa Associates, Advocate for Respondent No.1 in ELP.No.45 of 2026 and OA.No.795 of 2026/Applicant in OA.No.749 of 2026, herein; Mr.Niranjan Rajagopalan, Advocate for Respondent No.2 to 4 in Election Petition herein; and upon reading the Election Petition and Affidavit filed in Original Applications herein; and having stood over for consideration till this date and coming on this day before this Court for orders in the presence of said advocates for the parties hereto and

the Court made the following order:-

This Election Petition is filed by *C.Geetha*, praying that the election of the first respondent, *E.C.Govindarasan*, as the returned candidate from the 51 - Uthangarai (SC) Assembly Constituency in the General Elections to the Tamil Nadu Legislative Assembly, 2026, be declared void under Section 100(1)(c) of the Representation of the People Act, 1951, on the ground that the petitioner's nomination was improperly rejected.

2. On a careful perusal of the averments in the Election Petition, it appears that the nomination was rejected because the petitioner's name was not on the electoral roll. Thus, the nomination was correctly rejected. The petitioner herself is aggrieved by the removal of her name from the rolls. Accordingly, she contends that the removal was erroneous and that she is therefore entitled to the relief.

3. It must be noted that the petitioner had already filed W.P.No.13550 of 2026 seeking to restore her name and to accept her nomination in the election. The prayer was rejected on merits vide order, dated 07.04.2026. Paragraph Nos.3 and 4 of the order are reproduced below:-

> "3. It is admitted in the writ petition that specific timelines have been drawn for Special Intensive Revision (SIR) of Electoral Roll. The schedule starting from the date for Commencement of house-to-house enumeration to the date of final publication of electoral roll was published, inter alia, specifying the timeline for publication of draft electoral roll and filing of objections thereto. The petitioner fairly admits that she had no knowledge of the deletion of her name until 2.4.2026. Learned Senior Counsel for the petitioner also submits that the petitioner has not filed any objection within the timeline announced by the Election Commission of India.
>
> 4. The petitioner, in our considered opinion, ought to have been on the qui vive and availed of the right to submit the objections within the timeline announced by the Election Commission of India. This Court exercising discretionary jurisdiction under Article 226 of the Constitution of India is not inclined to grant such relief, as the law aids the vigilant and not those who sleep over their rights."

4. With reference to the consequential direction, the matter was dealt with in paragraph Nos.5 and 6. It was submitted that once the election notification is issued, the Court will not intervene, and the prayer was rejected.

5. Thus, the order rejected the petitioner's claim on the merits, holding that when the entire SIR was given due publicity and the draft rolls were published, the petitioner slept over her rights. Admittedly, the petitioner did not verify the draft rolls, and her case is that she came to know only on 02.04.2026. The Special Leave Petition preferred by the petitioner was also dismissed by the Hon'ble Supreme Court of India. Thus, even taking all the averments in the petition as true, the petition does not disclose a cause of action to challenge the election of the first respondent, and hence the petition is liable to be dismissed.

6. Further, when the name of the returned candidate is *Dr.N.Elaiyaraja,* in paragraph No.2(v) of 6.21 and in the prayer, it is mentioned as *E.C.Govindarasan.* The Election Petition is filed on 17.06.2026, whereas, an application to amend the

name to Dr.N.Elaiyaraja is filed on 24.07.2026 in O.A.No.795 of 2026. It is stated in the affidavit filed in support of the application that it is a clerical and typographical error. Obviously, it cannot be a clerical or typographical error. During the course of the arguments, it was submitted that the petitioner filed two identical Election Petitions and therefore, it is a cut-and-paste mistake that the name of the returned candidate, in the other Election Petition, is wrongly mentioned in the present Election Petition also. But the said reason is not mentioned in the affidavit filed in support of the application. Though a clerical or typographical error is curable, in this case, it is not a clerical or typographical error, and the plea that it is a cut-and-paste error is not raised in the affidavit filed in support of the application. Hence, O.A.No.795 of 2026 stands rejected.

7. Once O.A.No.795 of 2026 is rejected, the Election Petition prays for setting aside the election of a wrong person, not the first respondent, and is therefore liable to be rejected. The prayer in O.A.No.749 of 2026, filed to reject the petition deserves, to be allowed.

8. It is settled law that if the Election Petition fails to disclose the foundational and material particulars and a complete cause of action, it is liable to be rejected at the threshold as per Section 83 of the Representation of the People Act, 1951, read with Order VII Rule 11 of the Code of Civil Procedure. A useful reference in this regard is paragraph No.11 of the judgment of the Hon'ble Supreme Court of India in ***Azhar Hussain Vs. Rajiv Gandhi.*** It is further held that it is the duty of the Court to examine this issue irrespective of any written statement [***Hari Shanker Jain Vs. Sonia Gandhi*** - paragraph No.24). The principles shall be strictly applied in an Election Petition, and meaningless litigation should be aborted at the threshold, as the pendency of the litigation is likely to inhibit the functioning of the elected representative in discharge of her public duties. ***[Ram Sukh Vs. Dinesh Aggarwal*** - paragraph No.18].

9. In the result :

(i) O.A.No.795 of 2026, filed to amend the Election Petition, stands dismissed;

(ii) O.A.No.749 of 2026, filed to reject the Election Petition, stands allowed and consequently, the Election Petition No.45 of 2026 stands rejected;

(iii) There shall be no order as to costs. Hence, the security deposit shall be refunded to the petitioner.

WITNESS, THE HON'BLE MR.JUSTICE SUSHRUT ARVIND DHARMADHIKARI, CHIEF JUSTICE HIGH COURT AT MADRAS AFORESAID, THIS THE 18th DAY OF AUGUST 2026.

Sd./-
ASSISTANT REGISTRAR
Original Side-II (I/C)

//Certified to be true copy//

Dated at Madras this the 07th day of September 2026.

COURT OFFICER (O.S)

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MK
02/09/2026

ELP.No.45 OF 2026
and
OA.Nos.749 and 795 of 2026

THE HON'BLE MR. JUSTICE
D.BHARATHA
CHAKRAVARTHY

JUDGMENT DATED: 18/08/2026

FOR APPROVAL: 03/09/2026

APPROVED ON: 03/09/2026

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   Tamil Nadu, Public
   (Elections) Department,
   Secretariat, Fort St.George,
   Chennai - 600 009.
4. Account Section,
   High Court, Madras

(By Order)

LATA TRIPATHI,
Secretary,
Election Commission of India.

Secretariat,
Chennai-600 009,
16th October, 2026.

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

PRINTED AND PUBLISHED BY THE COMMISSIONER OF STATIONERY AND PRINTING,
CHENNAI ON BEHALF OF THE GOVERNMENT OF TAMIL NADU