



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 347]

CHENNAI, MONDAY, DECEMBER 28, 2009
Margazhi 13, Thiruvalluvar Aandu-2040

Part V—Section 4

Notifications by the Election Commission of India.

NOTIFICATIONS BY THE ELECTION COMMISSION OF INDIA.

ELECTION COMMISSION'S NOTIFICATION RESCINDING ITS EARLIER NOTIFICATION No. 100/TN-LA/8/2009, DATED 26-12-2009 CALLING THE BYE-ELECTION TO TAMIL NADU LEGISLATIVE ASSEMBLY FROM 83. PENNAGARAM ASSEMBLY CONSTITUENCY.

No. SRO G-51/2009.

The following Notification of the Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi-110 001, dated 28th December, 2009 [7 Pausa, 1931 (Saka)] is published:—

No. 100/TN-L/8/2009.—Whereas, the seat of Shri P.N. Periannan in the Legislative Assembly of Tamil Nadu State elected from the pre-delimited 83. Pennagaram Assembly Constituency has become vacant on 01-12-2009 by reason of his death; and

Whereas, the Election Commission of India *vide* its Notification No. 100/TN-LA/8/2009, dated 26th December, 2009 issued in pursuance of the provisions of sub-section (1) of Sections 150, 30 and 56 of the Representation of the People Act, 1951 (43 of 1951), and published in the Official Gazette of Tamil Nadu State, called upon the said 83. Pennagaram Assembly Constituency in the State of Tamil Nadu to elect a person to fill the said vacancy, before the 24-01-2010 (Sunday) and in accordance with the provisions of the said Act and the rules and orders made there under; and

Whereas, the Commission has received a large number of representations from most of the major political parties in the State seeking postponement of the said bye-election on various grounds; and

Whereas, at the initiative of the Commission, the Chief Electoral Officer of the State held a meeting with the representatives of all recognized National and State parties today, the 27th December, 2009, at Chennai to ascertain their views in the matter; and

Whereas, at the aforesaid meeting, almost all the major political parties, namely, Bahujan Samaj Party, Bharatiya Janata Party, All India Dravida Munnetra Kazhagam, Communist Party of India, Communist Party of India (Marxist), Nationalist Congress Party, Rashtriya Janata Dal, Marumalarchi Dravida Munnetra Kazhagam and Pattali Makkal Katchi, except Dravida Munnetra Kazhagam and Indian National Congress functioning in the State, favored the deferment of the aforesaid bye-election to the Tamil Nadu Legislative Assembly for the time being; and

Whereas, on due consideration of the aforesaid representations and the views expressed by the political parties at the above mentioned meeting held by the Chief Electoral Officer as communicated to the Commission by his letter No. Nil dated 27th December, 2009, the Commission has decided to postpone the said bye-election for the time being and to hold it later having regard to the provisions of section 151A of the Representation of the People Act, 1951;

Now, therefore, the Election Commission of India, in exercise of its inherent powers under Article 324 of the Constitution of India read with sections 150, 30 and 56 of the Representation of the People Act, 1951 and section 21 of the General Clauses Act, 1897 and all other powers enabling it in this behalf, hereby rescinds its above referred Notification No. 100/TN-LA/8/2009, dated 26th December 2009 calling the bye-election from the said 83. Pennagaram Assembly Constituency to the Tamil Nadu Legislative Assembly and further declares all proceedings commenced in the pursuance of the said notification as null and void.

(By Order)

TAPAS KUMAR,
Principal Secretary,
Election Commission of India.

Secretariat,
Chennai-600 009,
28th December, 2009.

NARESH GUPTA,
Chief Electoral Officer and
Additional Chief Secretary to Government,
Public (Elections) Department.