



TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

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Part VI—Section 2

**Notifications or Orders of interest to a section of the public
issued by Heads of Departments, etc.**

NOTIFICATIONS BY HEADS OF DEPARTMENTS, ETC.

TAMIL NADU STATE ELECTION COMMISSION, CHENNAI.

[ELECTIONS - CASUAL ELECTIONS, SEPTEMBER 2014 - WARD No. 1 AND 6 OF CHENGALPATTU MUNICIPALITY IN KANCHEEPURAM DISTRICT - REJECTION OF NOMINATION PAPERS - REPORT CALLED FOR - REPORT RECEIVED FROM THE ELECTION OBSERVER - ACTION OF THE RETURNING OFFICER NOT IN ACCORDANCE WITH RULE 27(7) OF TAMIL NADU TOWN PANCHAYATS, THIRD GRADE MUNICIPALITIES, MUNICIPALITIES AND CORPORATIONS (ELECTIONS) RULES, 2006 - CANCELLATION OF PROCEEDINGS OF THE RETURNING OFFICER AND ELECTION PROCESS - ORDERS ISSUED.]

(S.O. No. 119/2014/TNSEC/ME-1.)

No. VI(2)/196(a)/2014.

READ:

1. S.O. No.110/2014/TNSEC/ME-1, dated 27-8-2014.
2. Report from the Election Observer, Kancheepuram District, Lr. No. 2/Elec. Obser/2014, dated 16-9-2014.

ORDER:

WHEREAS, the Tamil Nadu State Election Commission inter-alia notified casual election to Ward No. 1 and 6 of Chengalpattu Municipality, Kancheepuram District scheduled to be held on 18-9-2014 in the Notification first read above;

WHEREAS, a representation received from Thiru.G.S.Faziullah, Independent candidate of Ward No.1 and Thiru.K.Thanigaivelu, Independent candidate of Ward No.6 of Chengalpattu Municipality stated that their nominations were rejected by the Returning Officer without valid reasons;

WHEREAS, the Tamil Nadu State Election Commission called for report from the Election Observer appointed by the Election Commission for Kancheepuram District;

WHEREAS, the Election Observer, Kancheepuram District vide reference second read above has reported that the Returning Officer of the said elections to Ward No. 1 and 6 of Chengalpattu Municipality has rejected the nominations of Thiru.G.S.Faziullah, Independent candidate of Ward No.1 and Thiru.K.Thanigaivelu, Independent candidate of Ward No.6 of Chengalpattu Municipality by stating that the candidates have not filled up the particulars regarding income tax and kept blank the requisite columns in their respective affidavits;

WHEREAS, sub-rule (5) of rule 27 of the Tamil Nadu Town Panchayats, Third Grade Municipalities, Municipalities and Corporations (Elections) Rules, 2006, provides that the Returning Officer shall not reject any nomination paper on the ground of any defect which is not of a substantial character and as per proviso to sub-rule (7) of rule 27 of the aforesaid Rules, if an objection is raised by the Returning Officer or is made by any other person, the candidate concerned may be allowed time to rebut it not later than 11.00 a.m. on the next day but one following the date fixed for scrutiny and that the Returning Officer shall record his decision on that nomination on the adjourned date;

WHEREAS, it is observed from the report received from the Election Observer that the Returning Officer of Chengalpattu Municipality has not acted as per the proviso to sub-rule (7) of rule 27 of the Tamil Nadu Town Panchayats, Third Grade Municipalities, Municipalities and Corporations (Elections) Rules, 2006 that the candidates concerned may be allowed time to rebut it not later than 11.00 a.m. on the next day but one following the date fixed for scrutiny and that the Returning Officer shall record his decision on that nominations on the adjourned date;

WHEREAS, the Tamil Nadu State Election Commission has got convinced that Form 9 has not been issued by the Returning Officer in accordance with the aforesaid rule provisions and thus an unforeseen circumstance has arisen;

NOW, THEREFORE, the Tamil Nadu State Election Commission, in pursuance of rule 139 of the Tamil Nadu Town Panchayats, Third Grade Municipalities, Municipalities and Corporations (Elections) Rules, 2006, hereby orders that Form 9 – List of contesting candidates with regard to Ward No.1 and 6 of Chengalpattu Municipality, Kancheepuram District, is cancelled and also orders that all the election proceedings of the Returning Officer for the said offices notified in the Statutory Order first read above in pursuance of rule 22 to 30 of the Tamil Nadu Town Panchayats, Third Grade Municipalities, Municipalities and Corporations (Elections) Rules, 2006 so far as it relates to the above offices be held to be null and void.

(By Order of the Tamil Nadu State Election Commission)

Chennai-600 106,
16th September 2014.

B. JOTHI NIRMALASAMY,
Secretary,
Tamil Nadu State Election Commission.