



GOVERNMENT OF TAMIL NADU
2015

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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 — ORDINARY ELECTIONS, 2011 — TIRUVALLUR DISTRICT - RURAL LOCAL BODIES — CONTESTED CANDIDATES — FAILURE TO LODGE ELECTION EXPENSES — ORDERED TO DISQUALIFY FOR A PERIOD OF THREE YEARS TO CONTEST FOR LOCAL BODY ELECTIONS — ORDERS ISSUED WITHHOLDING AND REVOKING THE DISQUALIFICATION ORDERS — RECONSIDERATION FOR SOME CANDIDATES — ENQUIRY CONDUCTED — ORDERS — ISSUED.]

(S.O. No. 3/2015/TNSEC/PE-2)

No. VI(2)/49(a)/2015.

READ:

1. S.O. No. 39/2013/TNSEC/PE-2, dated 7-10-2013.
2. S.O. No. 46/2013/TNSEC/PE-2, dated 19-12-2013.
3. From the District Election Officer/District Collector, Tiruvallur District Lr. Rc.No. 4614/2014/PC1, dated 14-8-2014.
4. S.O.No. 76/2014/TNSEC/PE-2, dated 23-8-2014.
5. This Commission's Notice Rc. No. 1065/2014/PE2, dated 20-11-2014 and connected records.

ORDER:

WHEREAS, the Tamil Nadu State Election Commission issued Orders in the S.O. No. 39/2013/TNSEC/PE-2, dated 7-10-2013 as published in *Tamil Nadu Government Gazette* Extraordinary No.300, dated 21-10-2013 in No.VI(2)/213(b-3)/2013 with regard to Tiruvallur District, disqualifying the contested candidates who have failed to lodge their accounts on election expenses as required by or under the relevant Section of the Tamil Nadu Panchayats Act, 1994 and the rules made thereunder, for a period of three years from the date of issue of orders for being elected as a member or president as the case may be;

WHEREAS, several written representations along with the acknowledgement receipts for submission of election expenses accounts before the Officers concerned were received from some of the candidates of Tiruvallur District who were disqualified;

WHEREAS, considering the *prima-facie* of the representations, the Tamil Nadu State Election Commission constituted a Committee to inquire into this matter and report;

WHEREAS, in anticipation of the inquiry report, the Tamil Nadu State Election Commission withheld the Statutory Order first read above until further orders *vide* Statutory Order No. 46/2013/TNSEC/PE2, dated 19-12-2013 as published in *Tamil Nadu Government Gazette* Extraordinary No.383, dated 19-12-2013 in No.VI(2)/262(a)/2013;

WHEREAS, the Committee inquired into the matter and submitted report to the Commission; and further report was called for from the District Election Officer/District Collector, Tiruvallur and the same was received from him;

WHEREAS, as per the report of the Committee sent by the Tamil Nadu State Election Commission and the report of the District Election Officer/District Collector, Tiruvallur District in the reference third read above, the reconsideration of disqualification became necessary for the following candidates as the reports said that these candidates had already submitted their accounts on election expenses and it was wrongly reported that they did not file the accounts:-

Sl. No.	Sl.No. of S.O.39/2013/TNSEC/PE-2, dated 7-10-2013	Election contested	Name of the Candidate with address (Thiru/Trnt/Selvi)
(1)	(2)	(3)	(4)
1	1	District Panchayat Ward Member, Ward No. 2, Tiruvallur District	M. Raghu, Veeramangalam, Pallipet Taluk.
2	248	Thiruvallur Panchayat Union, Ward Member, Ward No. 9, Thiruvallur District.	Sridhar, No.143, Kamarajar Street, Pakkam, Thiruvallur Taluk.
3	658	Sholavaram Panchayat Union, Perungavur Village Panchayat, President, Thiruvallur District.	M. Babu, Karunanidhi Street, Perungavur, Chennai-103.
4	754	Thiruvallur Panchayat Union, Sevwapet Village Panchayat, President, Thiruvallur District.	K. Moorthi, Railway Station Road, Sevwapet, Thiruvallur Taluk.

WHEREAS, the Tamil Nadu State Election Commission pending enquiry of candidates, issued Statutory Order No. 76/2014/TNSEC/PE-2, dated 23-8-2014 as published in *Tamil Nadu Government Gazette* Extraordinary No. 168, dated 25-8-2014 in No. VI(2)/186(b-1)/2014 revoking the Statutory Order No.46/2013/TNSEC/PE2, dated 19-12-2013 except in cases of the candidates whose names are mentioned against the Sl. Nos. 1, 248, 658 and 754 of Statutory Order No. 39/2013/TNSEC/PE2, dated 7-10-2013 and ordering that the disqualification ordered in respect of all other candidates of rural local bodies in Tiruvallur District issued in its Statutory Order first read above held good;

WHEREAS, the Tamil Nadu State Election Commission issued notice to all the above mentioned 4 candidates and to the officials concerned to appear before the Tamil Nadu State Election Commission for a detailed enquiry on 2-12-2014 with regard to the lodging of election expenses accounts relating to Ordinary Elections, 2011;

WHEREAS, concerned officials and 3 candidates attended the enquiry;

WHEREAS, after careful consideration of the statements of enquiry submitted by the concerned contested candidates who attended the enquiry, connected records and the recommendations of the District Election Officer/District Collector, Tiruvallur for 4 candidates mentioned above, the Tamil Nadu State Election Commission is satisfied that the candidates Thiru Sridhar (Sl.No. 248 of S.O. No. 39/2013/TNSEC/PE-2, dated 7-10-2013), Thiru M. Babu (Sl.No. 658 of S.O. No. 39/2013/TNSEC/PE-2, dated 7-10-2013) and Thiru K. Moorthi (Sl.No. 754 of S.O.No. 39/2013/TNSEC/PE-2, dated 7-10-2013,) have good reason or justification for having lodged their accounts on election expenses within the time and in the manner required by law;

AND WHEREAS, inasmuch as the Tamil Nadu State Election Commission in its S.O. 76/2014/PE-2, dated 23-8-2014, *inter-alia*, issued orders, pending enquiry with regard to the aforesaid 4 candidates withholding the disqualification ordered in the S.O. 39/2013/PE-2, dated 7-10-2013 it has become necessary to reconsider the disqualification ordered in respect of the candidates, Thiru Sridhar, Thiru M. Babu and Thiru. K. Moorthi and the Tamil Nadu State Election Commission has decided to cancel the disqualification ordered in cases of the candidates whose names are mentioned against the SI.Nos. 248, 658 and 754 of Statutory Order No. 39/2013/TNSEC/PE-2, dated 7-10-2013. In respect of Thiru M. Raghu (SI.No.1 of S.O.No. 39/2013/TNSEC/PE-2, dated 7-10-2013) the Tamil Nadu State Election Commission has decided to call for further reports from the District Election Officer/District Collector, Tiruvallur.

NOW THEREFORE, taking into consideration of the above facts, the Tamil Nadu State Election Commission in exercise of the powers conferred under Article 243-K of the Constitution of India and sub-section (4) of Section 37 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994), read with sub-rule (13) of rule 120 and sub-rule (1) of rule 143 of the Tamil Nadu Panchayats (Elections) Rules, 1995 orders that the disqualification ordered in the cases of the candidates Thiru Sridhar, Thiru M. Babu and Thiru K. Moorthi whose names are mentioned against the SI. Nos. 248, 658 and 754 of Statutory Order No. 39/2013/TNSEC/PE-2, dated 7-10-2013 are hereby cancelled.

(By Order of the Tamil Nadu State Election Commission)

Chennai-600 106,
20th March 2015.

R.V. SHAJEEVANA,
Secretary (In-charge).