



WEB COPY

ELP No. 36 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

CORAM

THE HON'BLE MR JUSTICE G.K. ILANTHIRAIYAN

ELP No. 36 of 2026

V.Pon.Paneerselvam

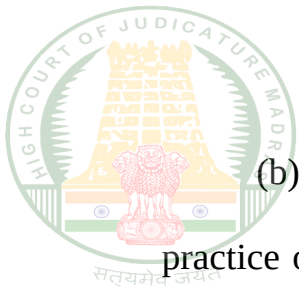
..Petitioner(s)

Vs

1. S.Ragupathy, Member of Legislative Assembly (181-Thirumayam), Residing at T.S.No.3108, Keezha Second Street, Pudukkottai – 622001.
2. R.Saroja Aachi Residing at T.S.No.3108, Keezha Second Street, Pudukkottai - 622001.
3. The Returning Officer 181, Thirumayam Assembly Constituency, Pudukkottai District, Tamil Nadu.

..Respondent(s)

Election Petition filed under Sections 80, 80A, 81, 83, 100(1)(b), 100(1)(d)(i) & (iv) read with Section 123(2) of the Representation of the People Act, 1951 and Rule 2 of the Rules of the Madras High Court Election petitions, 1967 r/w Order II Rule 3 of the Rules of the High Court, Madras Original Side, 1994: (a) to declare the election of the 1st Respondent, Mr.S.Ragupathy from 181-Thirumayam Assembly Constituency in the 2026 Tamil Nadu Legislative Assembly General Election declared on 04.05.2026 as null and void under Sections 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 spouses 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

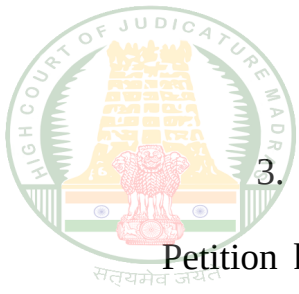
For Petitioner(s): M/s.S.Arivazhagan

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.

22-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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G.K.ILANTHIRAIYAN, J.

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