

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURIDICITION

CIVIL APPEAL NO.7184 OF 2014
(Arising out of SLP(C) No.14382 of 2012)

R.SEKAR ...APPELLANT(S)

VERSUS

M. SUBBAIYAN & ORS. ...RESPONDENT(S)

O R D E R

Leave granted.

2. In our view the High Court has erred in setting aside the election of a councilor in the writ jurisdiction, although there is a statutory procedure of challenging such election by way of Election Petition. The impugned order is set aside on the short ground noted above.

3. The appeal is allowed as above with no order as to costs.

.....CJI.
(R.M. LODHA)

Signature Not Verified

Digitally signed by

NEETU KHAJURIA
Date: 2014.08.08
10:11:53 IST
Reason:

.....J.
(KURIAN JOSEPH)

NEW DELHI;
AUGUST 04, 2014

ITEM NO.46

COURT NO.1

.....J.
(ROHINTON FALI NARIMAN)
SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 14382/2012

(Arising out of impugned final judgment and order dated 06/01/2012 in WP No. 26308/2011 passed by the High Court Of Judicatrue of Madras)

R. SEKAR Petitioner(s)

VERSUS

M. SUBBAIYAN & ORS. Respondent(s)

(With prayer for interim relief and office report)

Date : 04/08/2014 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s) Mr. C. Paramasivam, Adv.
 Mr. P.Ramesh, Adv.
 Mr. M.P. Parthiban, Adv.
 Mr. Rakesh K. Sharma ,Adv.

For Respondent(s) Mr. V. G. Pragasam ,Adv.
 Mr. S.J. Aristotle, Adv.
 Mr. Prabu Ramasubramanian, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.
The appeal is allowed in terms of the signed
order.

(Neetu Khajuria)
Sr.P.A.

(Renu Diwan)
Court Master

(Signed order is placed on the file.)