



**TAMIL NADU
GOVERNMENT GAZETTE
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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-600 106.

[ELECTIONS—CASUAL ELECTIONS TO URBAN LOCAL BODIES—SEPTEMBER 2008—CHENNAI CORPORATION—
CONTESTED CANDIDATES—ACCOUNT OF ELECTION EXPENSES—FAILURE TO LODGE—SHOW CAUSE NOTICES
ISSUED—DISQUALIFICATION—ORDERED.]

(S.O. No. 3/2010/TNSEC/ME-II.)

READ:

1. S.O. No. 59/2006/TNSEC/PE, dated the 4th September 2006.
2. S.O. No. 60/2006/TNSEC/PE, dated 4th September 2006.
3. Tamil Nadu State Election Commission's Notification No. 124/2008/TNSEC/ME 1, dated 22nd August 2008.
4. From the Commissioner of Chennai Corporation Lr. No. Rc. No. 1041/2009, dated 31st July 2009.
5. Show Cause Notice Rc. No. 7372/08/ME2, dated 20th August 2009.
6. From the Commissioner of Chennai Corporation Lr. No. வ.சூ. (தேர்தல்) Rc. No. 1041/2009, dated 19th November 2009.

No.VI(2)/29(a1)/2010.

Whereas, in the Notification issued with the S.O. first and second read above, this Commission directed that all the contesting candidates in the elections listed therein shall lodge a true copy of their accounts of election expenses kept by them or by their respective election agent under sub-rule (1) of Rule 116 of the Tamil Nadu Town Panchayats, Third Grade Municipalities, Municipalities and Corporations (Elections) Rules, 2006, in the format prescribed therefor with the officers mentioned therein, within thirty days from the date of declaration of the result of the elections;

2. Whereas, this Commission conducted Casual elections to the urban local bodies during September 2008 as notified in the S.O. third read above;

3. Whereas, the Commissioner, Chennai Corporation, in his letter fourth read above reported that 4 candidates contested in the said Casual election for the office of Municipal Ward Member in Ward No. 18 of Chennai Corporation failed to lodge copies of their account of election expenses as directed by this Commission;

4. Whereas, based on the report of the said Commissioner, Chennai Corporation a show cause notice was issued in the reference fifth read above to each of the contested candidate, who failed to lodge a true copy of the account of election expenses in the Casual election held during the month of September 2008, through the Commissioner, Chennai Corporation, calling for explanation within 21 days of the receipt of the said notice, as to why action should not be taken against him as per sub-section (2-A) of Section 49 of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920);

5. Whereas, the said Commissioner, Chennai Corporation in his letters sixth read above, has now reported that out of the said 4 contested candidates, **three** contested candidate lodged the account of election expenses and the remaining **one** contsted candidate has neither submitted explanations nor lodged the account of election expenses inspite of the show cause notices issued; and

6. Whereas, in view of the said report of the Commissioner, Chennai Corporation the Tamil Nadu State Election Commission is satisfied that the one candidate named Tmt. T. Kayathri, No. 48/64, Venkatachalam Street, Royapuram, Chennai-13 have failed to lodge their account of election expenses as required by or under the said Act and Rules and have no good reason or justification for such failure.

7. Now, therefore, in exercise of the powers conferred by sub-section (2-A) of Section 49 of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), the Tamil Nadu State Election Commission hereby declares that the candidate Tmt. T. Kayathri, No. 48/64, Venkatachalam Street, Royapuram, Chennai-13 shall be disqualified, for being elected for the period of three years from the date of this Order.

(By Order of the Tamil Nadu State Election Commission)

Chennai-600 106,
21st January 2010.

V.M. XAVIER CHRISSE NAYAGAM,
Secretary,
Tamil Nadu State Election Commission.

[ELECTIONS—URBAN LOCAL BODIES—JANUARY 2010—CASUAL INDIRECT ELECTIONS TO FILL UP THE VACANCIES IN THE OFFICE OF CHAIRMAN, VICE-CHAIRMAN, MEMBER OF APPOINTMENT COMMITTEE AND MEMBER OF TAXATION APPEAL COMMITTEE—CONDUCT OF—THE ELECTION TO THE OFFICE OF MEMBERS OF APPOINTMENT COMMITTEE AND TAXATION APPEAL COMMITTEE OF PERIYAKULAM MUNICIPALITY—THENI DISTRICT—POSTPONED—NOTIFIED.]

(S.O. No. 4/TNSEC/ME-2.)

READ

1. From the District Election Officer/District Collector, Theni District Pdl. No. 539/2008/RD1, dated 2-12-2009 & 4-1-2010.
2. Tamil Nadu State Election Commission's S.O. No. 2/2010/ME2, dated 2-1-2010.
3. From the Distrct Election Officer/District Collector, Theni District Lr. Rc. No. 47414/2009/RD-4, dated 22-1-2010 & 25-1-2010.

No.VI(2)/29(a2)/2010.

In exercise of the powers conferred under Section 27 and sub-section (1) of Section 43-B of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) and sub-rule (4) of Rule 99 of the Tamil Nadu Town Panchayats, Third Grade Municipalities, Municipalites and Corporations (Elections) Rules, 2006, the Tamil Nadu State Election Commission interalia notified the election to the offices of the members of Appointment Committee and Taxation Appeals Committee of Periyakulam Municipality, Theni District to be held on 29-1-2010 as per the S.O. second cited.

Whereas, in the reference third cited, the District Collector, Theni District has reported that the Government Pleader, Madurai Bench of Madras High Court has opined that the election process could not be proceeded as the disqualified Councillors have filed cases in the Hon'ble District Court, Theni and the sub-clause 3 of Section 51 of the Tamil Nadu District Municipalities Act, 1920 provides protection to them to be entitled to act as if they were not disqualified. Hence, the District Election Officer/District Collector, Theni District has stated that the said elections could not be conducted.

In view of the report sent by the District Election Officer/District Collector, Theni District, the Tamil Nadu State Election Commission hereby makes the following amendment to the S.O. second cited.

AMENDMENT

In the said order, in the Annexure, under the heading 'MUNICIPALITY' in Sl. No. 1 and 2, the District Theni and the corresponding entires relating thereto shall be omitted.

(By Order of the Tamil Nadu State Election Commission)

Chennai-600 106,
27th January 2010.

V.M. XAVIER CHRISSE NAYAGAM,
Secretary,
Tamil Nadu State Election Commission.