

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1055/2021

I.S. INBADURAI

Appellant(s)

VERSUS

M. APPAVU & ORS.

Respondent(s)

O R D E R

We have heard learned counsel for the appellant. We have perused the interim order dated 16.03.2021. The said order reads as under:

"Applications for early hearing, exemption from filing O.T. and permission to file additional documents/facts/annexures are allowed.

We have opened the sealed cover and perused the report. The report shows that the 203 postal ballots have been counted, out of which 153 have been polled by respondent No. 1 while only one has been polled by the petitioner. 44 votes were rejected.

If these postal ballots are counted, there is no doubt that respondent No. 1 would stand elected while if they are rejected the petitioner succeeds.

The only question which has to be examined, as agreed to by learned counsel for the parties, is arising from the plea that the declaration in respect of these postal ballots are not attested by a gazetted officer. This in turn depends upon whether the Head Masters are gazetted officers for the purpose in question.

We endeavoured to take up the matter today but there is no time left. We call upon the respondents to file synopsis running into not more than two pages each on the aforesaid issue.

List at the end of the miscellaneous Board on 23.03.2021."

2. The election in question was in respect of the Radhapuram Assembly Constituency, Tamil Nadu held in the year 2016. Thereafter, successive elections have been held in the year 2021 and presently in the year 2026 also.

3. We dispose of this Civil Appeal by keeping open the question referred to above to be considered in any other appropriate case.

4. The reason for keeping open the aforesaid question is the lapse of time and the term of office having expired and no useful purpose being served in adjudicating upon the said question in this Civil Appeal. The High Court may now pass appropriate consequential orders.

5. Ordered accordingly

6. Pending application(s), if any, shall stand disposed of.

..... J.
(B.V. NAGARATHNA)

..... J.
(UJJAL BHUYAN)

NEW DELHI;
May 21, 2026

ITEM NO.39

COURT NO.4

SECTION XII-B

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

CIVIL APPEAL NO(S). 1055/2021

I.S. INBADURAI

Appellant(s)

VERSUS

M. APPAVU & ORS.

Respondent(s)

(IA No. 94082/2025 - INTERVENTION APPLICATION)

Date : 21-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Appellant(s) : Mr. Gaurav Agrawal, Sr. Adv.
Mr. C. George Thomas, AOR

For Respondent(s) Mrs. Amrita Sharma, Adv.
Mr. Karunakar Mahalik, AOR
Mr. Rajat Shaw, Adv.
Ms. Easha Chandlok, Adv.
Ms. Rashi Bansal, Adv.
Ms. Peddi Reddy Satya, Adv.

Mr. Prateek Kumar, AOR
Mr. Devansh Rai, Adv.

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

1. The Civil Appeal is disposed of in terms of the signed order.
2. Pending application(s), if any, shall stand disposed of.

(RADHA SHARMA)

ASTT. REGISTRAR-cum-PS

(KOMAL)

COURT MASTER (NSH)

(SIGNED ORDER IS PLACED ON THE FILE)