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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% **Date of Decision:04.12.2025**

+ W.P.(C) 18311/2025, CM APPL. 75855/2025, CM APPL. 75856/2025 & CM APPL. 75857/2025

M/S PATTALI MAKKAL KATCHI

.....Petitioner

Through: Mr. Balbir Singh, Sr. Adv. with Mr. M. P. Devnath, Mr. Abhishek Anand, Mr. Rahul Kumar, Dr. K. Arul, Ms. Charu trivedi, Mr. Hridyanand Ojha, Advocates (M:7903435470)

versus

ELECTION COMMISSION OF INDIA & ANR.Respondents

Through: Mr. Sidhant Kumar, Ms. Shagun Chopra, Advocates for R-1
Mr. Saurabh Kirpal, Mr. Rajshekhar Rao, Sr. Adv. with Mr. Tushar Gupta, Ms. Nitya Gupta, Mr. S. Balu, Mr. Karuna Karan, Mr. Vinoba Boopathi, Ms. Aditi Gupta, Mr. Lakhvinder Singh, Mr. Junaid Aamir, Ms. Aaliya Waziri, Advocates for Intervenor respondent

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. (ORAL):

1. The present writ petition is stated to have been filed by the petitioner political party through its founder and present President, Dr. S. Ramadoss, challenging the letters/communications dated 09th September, 2025 and 27th November, 2025, issued by the respondent no. 1 – Election Commission of India (“ECI”), insofar as they extend and reaffirm the tenure of the previous



President and officer bearers of the petitioner party, i.e., Dr. R. Anbumani, till 01st August, 2026.

2. Learned Senior Counsel for the petitioner submits that the petitioner is a registered un-recognised political party, which was founded by Dr. S. Ramadoss on 16th July, 1989. It has its own constitution and bye-laws, governing, *inter alia*, internal affairs such as memberships, terms and tenures, etc.

3. It is submitted that Dr. R. Anbumani was elected as the President of the petitioner party on 28th May, 2022, for a period of three years, i.e., up to 28th May, 2025. Subsequently, the petitioner party, *vide* letter dated 29th May, 2022, duly informed the respondent-ECI with respect to the election and appointment of Dr. R. Anbumani, in terms of the requirements of Section 29A(9) of the Representation of the People Act, 1951 (“*RP Act*”).

4. Thus, it is submitted that the tenure of Dr. R. Anbumani as President was only for a period of three years, which was to expire on 28th May, 2025, whereafter, Dr. S. Ramadoss took charge as President of the petitioner party, and *vide* letter dated 30th May, 2025, the ECI was informed with regard to change in the post holder of the President.

5. Attention of this Court has been drawn to the various letters written to the respondent-ECI on behalf of Dr. S. Ramadoss with respect to Dr. S. Ramadoss having taken charge of the petitioner party as its President. In this regard, learned Senior Counsel for the petitioner has relied upon the letters being *Annexure P-6*, i.e., letter dated 30th May, 2025, *Annexure P-7*, i.e., letter dated 30th June, 2025, *Annexure P-8*, i.e., letter dated 04th July, 2025.

6. Further, attention of this Court has also been drawn to *Annexure P-9* attached with the present writ petition, which is a Resolution of the State



Management Committee of the petitioner party dated 05th July, 2025. By way of the said Resolution, the leadership and appointment of Dr. S. Ramadoss was recognised and it was directed that holding of any public meetings, procession, *Pad Yatra*, etc., has to be done with the permission and consent of the founder President Dr. S. Ramadoss. It was also further declared that any such public meeting, if held without the consent of Dr. S. Ramadoss, should not be allowed by the State Government. The relevant portion of the Resolution dated 05th July, 2025, passed by the State Management Committee of petitioner party, reads as under:

“xxx xxx xxx

10. The Committee resolves that any event in the name of the Party, such as public meetings, processions etc should be held with the consent and permission of the founder President and without the consent and permission of Paataali Makkal Katchi President, respectable Dr.Ramadoss none belonging to our Party should hold public meetings, processions, Padayatra etc. In case anyone proposes to hold any such event in the name of the Party, the State Government should not allow it.”

(Emphasis Supplied)

7. Learned Senior Counsel for the petitioner has further drawn the attention of this Court to the letter attached at *Annexure P-11* dated 12th August, 2025, addressed to the respondent-ECI, wherein, the ECI was informed that Dr. R. Anbumani has been acting as Executive President of the petitioner party without any authorization. The letter dated 12th August, 2025, addressed by the petitioner party to the ECI, reads as under:



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ANNEXURE P-11

PATTALI MAKKAL KATCHI 99**Founder & President: Dr. S. RAMADOSS, MBBS.,**Thailapuram Thottam, Thailapuram Post,
Vanur TK, Viluppuram Dt - 604 102. Tamilnadu
Thailapuram: 04147 235 345**P. SWAMINAATHUN, B.E.,**Private Secretary to Dr. Ramadoss Ayya
MK Party Spokesperson

S:15PM

Date:-12.08.2025

New Delhi



To,

Chief Election Commission Of India

Niruvanchan Sadan

New Delhi

Kind Attn:

Shri. Sanjay Kumar Jais.

Deputy Election Commissioner of India

Subject: Pattali Makkal Katchi - illegal conduct of Executive President - conducting of an illegal rival general body meeting - against rule 13 - without the consent and guidance of the founder - without inviting the founder - conducting of meeting - self-declaration of extension of tenure of president already expired - extension made for one year - which is against by-laws - unapproved by the founder and president - action required - submitting of papers for record purpose - regarding.

Dear Sir,

Consequently, election of our founder as the new president of the party, who assumed the office from 30th May 2025 itself there is no role of president for Dr. R.Anbumani. The Said Anbumani was made an executive president, whose tenure starts from 30th May 2025. From that date he cannot give a colour of president as it has been taken by assuming charge by the founder himself as president.

In that circumstances, it is found that the said executive president, without any iota of truth or supported by any bye-law, has chosen to act on his own as if he is the president permitted by the party. The said Anbumani, without any

Signature



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PATTALI MAKKAL KATCHI 100

Founder & President: **Dr. S. RAMADOSS**, MBBS.,

Thailapuram Thottam, Thailapuram Post,
Vanur TK, Viluppuram Dt - 604 102. Tamilnadu
Thailapuram: 04147 235 345



P. SWAMINAATHUN, B.E.,

Private Secretary to Dr. Ramadoss Ayya

PMK Party Spokesperson

authorization, has started removing members, including MLAs, and removing key post leaders of the party. When it was brought to the notice of the founder and the president, Dr. S. Ramadoss, complaints were made to the Election

Commissioner of India and other authorities concerned for curbing the act of said Anbumani.

But, despite the communication about the misdeeds and acts of Said Anbumani, there has been no response from him. But he continued to do the mischief and its own activities detrimental to the party. The party cadres and leaders felt that it is high time that their acts will have to be communicated to the Election Commission of India and other officers for taking appropriate action. Consequently, the steps were taken by informing the unnecessary, non-permitted walking show for 100 days, starting from 25/7/2025 was also started to be stopped by the intervention of the Director General of Police, who also gave a circular on 24/7/2025 by rejecting the permission if any or by R. Anbumani. That apart, the said mischievous person, Dr. R. Anbumani, has also gone to the extent of conducting various meetings of bodies, namely, administrative committees, executive committees, and general body meetings. These are all the outcome of a rival climb without accepting the new position given to the said R. Anbumani. This act and attitude of the executive president is stand amount to unbecoming of a member of the party, which has to be brought to the notice of the high command and the Election Commission. Actions have been initiated by the disciplinary committee to inquire into the matter and to submit a report against Dr. R. Anbumani for taking appropriate, severe actions like suspension and removal, etc., as prescribed in the rules. As such, in these circumstances, it is also felt just and necessary to communicate the same to the Election Commission of India and the stakeholders, namely, the State Election



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பாட்டாளி மக்கள் கட்சி

101

நிறுவனர்-தலைவர்: மருத்துவர். ச.இராமதாசு, மரு.இ.அறு.இ.

தைலாபுரம் தோட்டம், தைலாபுரம் அஞ்சல்

வானூர் வட்டம், விழுப்புரம் மாவட்டம் - 604 102.

தைலாபுரம்: 04147 235 345 கைப்பேசி: 9500824031 மின்அஞ்சல்: swaminaathun1973@gmail.com

P.சுவாமிநாதன், B.E.,

மருத்துவர் அய்யாவின் தனிச்செயலாளர்

பா.ம.க. செய்தித்தொடர்பாளர்

Commission, Tamil Nadu, the Ministry of Home Affairs, New Delhi, and the Intelligence Bureau for Political Affairs, apart from Cyber Crimes in India.

As such, this communication is forwarded to the Election Commission of India, by marking copies to the relevant personalities and offices, for taking appropriate action against the said Dr. Anbumani, who has not even a president of the party since May 30, 2025. The attitude of Dr. R. Anbumani, acting according to his whims and fancies with his fans, it seems to be an ugly attitude polluting the atmosphere of the politics of Pattali Makkal Katchi which is nothing but an attempt to make paralyze of politics were the policy of the party is attempting to crumbled by his attitude for the reasons best known to Dr. Anbumani, who is having an ulterior motive to ruin the party for his personal gains and profits, which is not acceptable by the Pattali Makkal Katchi. Hence the same is brought to the notice of the Election Commission and the Ministry of Home Affairs, and the Bureau of Intelligence for taking appropriate action against the ereled Dr. R.Anbumani who is an ordinary Executive president without any right or powers to convening any meeting any nature without the authority of the founder and the president Dr. S. Ramadoss the supremo of the party.

Warm Regards

Thank You

CC Shri Sanjay Kumar IAS.

Deputy Election Commission of India

[Signature]
12/8/25

[Signature]
10/35/2012

8. Subsequently, the Disciplinary Action Committee of the petitioner party, issued a Report dated 19th August, 2025, wherein, the unauthorized



‘anti-party’ conduct and actions of Dr. R. Anbumani were discussed. The said Report of petitioner’s Disciplinary Action Committee, attached as *Annexure P-12* to the present petition, reads as under:

PAATAALI MAKKAL KATCHI(PMK)

DISCIPLINARY ACTION COMMITTEE REPORT

1. Last year, on 28 12 2024, in the special General Body Meeting convened under the theme ‘Let us bid goodbye to 2024 and Welcome 2025’ the way in which Dr.Anbumani threw away the mike and spoke against the words of ‘Maruthuvar Ayya’, saying that he has opened a new Party Office at Panaiyur and asking the members to come there, and asking them to note down the new mobile number and indulging in such other acts which are being rightly viewed as causing confusion and rift in the party, and, acting disrespectfully against the Party’s High command.
2. On 11. 05.2025, after the Mammallapuram Youth Festival conference coming to a close, following the Party High Command’s announcement that on 13. 05. 2025 the Party’s District Secretaries Meeting would be held in Thailapuram Farmhouse to discuss development activities for Party’s uplift Dr Anbumani kept contacting the district secretaries in his mobile throughout the night and asking them not to go to Thailapuram Farmhouse saying that there signatures should be obtained and he would be removed from the Party and thus spreading false, baseless allegation preventing 100 out of 108 district secretaries from attending the Thailapuram Meeting which is rightly being viewed as anti-Party activity planned to causer rift and split as antibody activity will plan to cause rift and split in the Party.
3. Having a few members of Paataali Makkal Katchi(PMK)’s social media wing (Samooga OOdaga Peravai) which is one of the wings of PMK by his side, he uploads disgusting, repulsive abuses about our esteemed ‘Maruthuvar Ayya’ in various social media platforms including Facebook
4. When eminent personalities of Tamil naduu who are veterans held peace-talk between Maruthuvar Ayya and Dr.Anbumani, as the Founder and President of PMK , Dr.Ramadoss accepted the views and suggestions



expressed by the eminent personalities Dr.Anbumani downrightly rejected the initiative which is very unfortunate.

5. The act of Installing phone hacking gadget in Maruthuvar Ayya's Thailapuram Farm House, near his seat is shocking and condemnable.
6. Without the permission of Maruthuvar Ayya and without consulting him, convening a General Body Meeting and keeping a vacant chair on the dais, placing the Founder's photograph in it and having a shawl around it, and, instigating several mischiefmongers, who must have been out of their mind, and with their help indulging in the unbecoming act of praying for good sense to prevail in Maruthuvar Ayya – such act is unacceptable and highly reprehensible – unfair and unjust and condemnable to the core.
7. Without caring to obtain the consent and permission of the Party's founder and President Dr.Ramadoss and not even informing him, staging an ongoing dram in the name of 'For restoring our rights and for safeguarding our future generations is objectionable, to say the least.
8. Preventing those who had come to Thailapuram Farmhouse to see our Party Leader and President , esteemed Dr.Ramadoss and receive his blessings and tempting them with offer of money and arranging transportation facilities for them more or less abducting them to Panaiyur.
9. Our Party leader and President 'Maruthuvar ayya has openly said many a time that his photo and name shouldn't be used, but, going against his words, pretending to respect him, calling him his clan-deity' and continues to instigate others to insult and malign the leader in all possible manner is highly unbecoming and atrocious.
- 10.The Party's Leader and President brought forth the prestigious Makkal Television Channel with the view to have one such which would prove useful and meaningful to people and with this express purpose framing its



policy and objective with great care and responsibility. But, the erstwhile leader of the Party is purposefully being blacked out of the channel and his programmes and speeches are not aired in the channel. Even his face is not shown and thus, the channel has been systematically taken away from the veteran leader of the Party and he is made to remain disassociated with the channel.

11.PMK 's leader and president Maruthuvar Ayya established 'Pasumai Thayagam', with the noble objective of protecting Land, Water and Air from getting polluted and to leave a clean environment to the species and future generations and planted millions of tree-saplings. He stayed at the site of lakes with his cadres, sleeping in rope-cot, desilting the waterbeds and constructing more than 500 small check dams and travelling in his bicycle to safeguard the rivers Paalaaru and Bhavani Aaru and initiating such other so many good deeds. But, his Pasumai Thaayagam Forum for Environmental Safety has been taken away from him through hideous means which is highly condemnable.

12. Above all, Dr Anbumani, going against the rules and regulations of the party, and without obtaining the consent of our leader Maruthuvar Ayya, not informing him at all, not extending invitation to him, convening a Meeting and placing a vacant seat with his portrait in it, with a towel draped around it and conducting the meeting is reprehensible. Seeing this or learning about this the Party members and the general public were deeply pained. They couldn't help observing in anguish: 'How can anyone insult the veteran leader in this manner? This is like keeping Maruthuvar Ayya's portrait on the dais and having incense sticks and camphor lit there and garlanding him... this is unpardonable. How can anyone do this to our esteemed leader and President?'

13.The Head Office of Paataali Makkal Katchi had been functioning in D.No.63, Naatu Muthu Naicker St, Teynampet, Chennai. But, without the knowledge



of Maruthuvar Ayya, it was shifted to D.No. 10, Thilak St, T.Nagar, Chennai – 600 017.

14. The announcement made by Dr. Anbumani that the appointment of all PMK officials who have been chosen by him after 30.05.2025 would continue to hold their respective posts and those appointed by the Founder and President Dr. Ramadoss before the said date would be removed from posts is unfortunate and not holding good.

(The original Tamil passage is not clear. Please verify)*

15. Without having any discussion or dialogue with the Party High Command, esteemed Maruthuvar Ayya and lying that there had been 40 rounds of talk between them is highly improper.

16. When the leader of the Legislative Assembly Committee, GK Mani and the Member of Legislative Assembly from Salem West constituency were hospitalized, making fun of them by saying 'Let both of them do group prayer' and laughing at their expense is unpardonable and unbecoming, to say the least.

9. Learned Senior Counsel for the petitioner submits that pursuant to the aforementioned Disciplinary Action Committee Report and based upon recommendations of the Disciplinary Action Committee, a public announcement was issued by Dr. S. Ramadoss on 11th September, 2025, removing Dr. R. Anbumani from the post of Acting President and from the basic membership of the petitioner party, with immediate effect. The said public announcement dated 11th September, 2025, i.e., *Annexure P-13*, is



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reproduced as below:

PAATAALI MAKKAL KATCHI

FOUNDER-PRESIDENT DR.RAMADOSS

Thailapuram Gardens, Thailapuram P.O.
Vaanoor Taluk, Villupuram District – 604102
Thailapuram: 04147 235 345 Mob: 94455 60438

Date: 11.09.2025
Thailapuram Gardens

IMPORTANT ANNOUNCEMENT FROM DR.S.RAMADOSS, PAATAALI MAKKAL KATCHI(PMK)'S FOUNDER AND PRESIDENT

Based on the recommendations of the disciplinary Action Committee dated 01.09.2025 the following decision has been taken by the Leader of our Party:

Regarding the anti-Party activities of Dr.Anbumani, for all the 16 complaints of the Disciplinary Action Committee (dated 19.08.2025) there was no response from his side and even after giving him more time to respond, not even twice he has chosen not to give any written response and not coming in person to explain his side which goes to show that he has no valid explanation to justify his actions which in turn goes to show that he by maintaining silence in fact accepts the charges leveled against him and hence we have reason to arrive at the conclusion that the charges leveled against him are indeed valid. Since the day our esteemed leader Maruthuvar Ayya has brought into being our prestigious Party such anti-Party activity has never been committed by any other member.

By acting against the rules and regulations of the Party and causing ill-repute to the party and its High Command through his activities he has proved himself to be one who has no respect or regard for the Party and its leader. Acting on his own and without caring for the hard-earned name and reputation of the Party, Dr.Anbumani has proved himself to be unworthy of being a politician. Causing



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PAATAALI MAKKAL KATCHI

FOUNDER-PRESIDENT DR.RAMADOSS

**Thailapuram Gardens, Thailapuram P.O.
Vaanoor Taluk, Villupuram District – 604102
Thailapuram: 04147 235 345 Mob: 94455 60438**

pain and anguish to the Party cadres and office-bearers he through his anti- Party activities have made the office-bearers and executive committee members of PMK unanimously feel that his acts expose his intention of destroying the Party. Hence, the Founder and President of Paataali Makkal Katchi has no other alternative but to remove Dr.Anbumani from the post of Acting President of PMK. And, this removal is with immediate effect.

Further, as his activities and style of functioning prove detrimental to the Party's reputation and future growth and progress it is decoded to remove him from the basic membership of the Party and with immediate effect Dr.Anbumani is removed from being a member of the Party. The members and office-bearers of our Party are asked not to be associated with him in any capacity and if anyone is found to be in touch with Dr.Anbumani action would be taken against the member concerned for indulging in anti-Party activity.

For making this decision of the Party known to the party members and general public it should be made public through Dailies and other media channels. And, to make clear the Party's stand that any such anti-Party activities by others in future would not be tolerated and the Party will not hesitate to take stringent action against the member concerned, and that the Party's good reputation, growth and development alone are important, Dr.Anbumani is removed from his post and basic membership. This decision is arrived at democratically, after many levels of inquiry and after giving sufficient opportunities to the person concerned for giving explanation and clarification.

**Yours truly
(Dr.Ramadoss)
Founder-President
Paataali Makkal Katchi**

Ramadoss

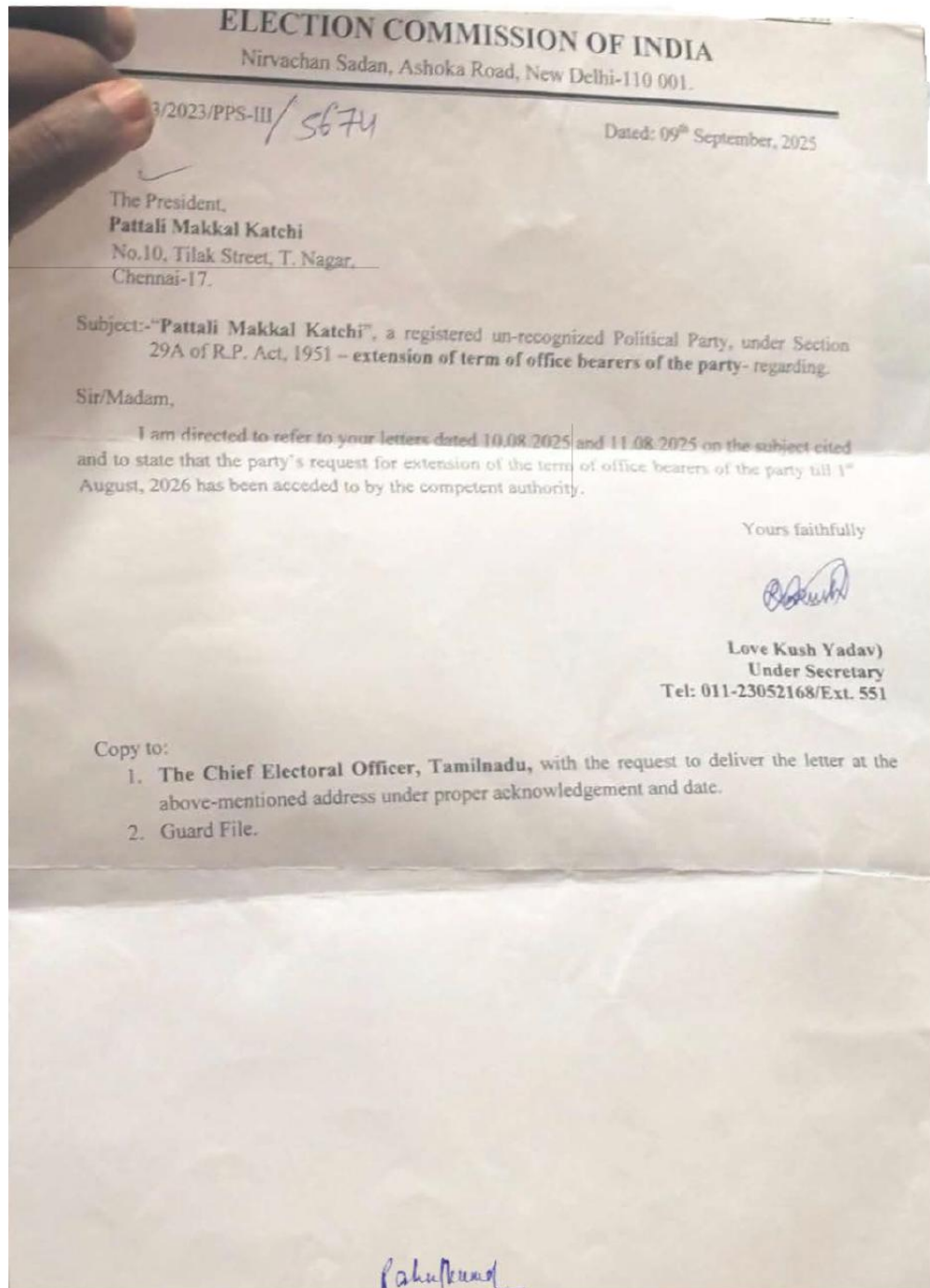
10. This Court notes that on 09th September, 2025, the respondent-ECI issued one of the letters impugned by way of the present writ, informing the petitioner party that its request for extension of the term of office bearers of the party till 01st August, 2026 had been acceded to by the Competent



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Authority. The impugned letter of ECI dated 09th September, 2025, is extracted hereinbelow:



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11. This Court also notes the letter dated 17th September, 2025, written by



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the petitioner party to the respondent no. 1, wherein again, the factum of expiry of Dr. R. Anbumani's tenure as President on 28th May, 2025, as per the bye-laws of the petitioner party, and his subsequent removal from the party, was brought to the notice of the ECI. The ECI was further re-informed of the election and appointment of Dr. S. Ramadoss as the new President of petitioner party for a term of three years, starting from 30th May, 2025. The said letter dated 17th September, 2025, attached as *Annexure-P15*, is reproduced as under:

PATTALI MAKKAL KATCHI
FOUNDER - PRESIDENT : **Dr. S. RAMADOSS**, M.B.B.S.,
Thailapuram Thottam, Vanur Taluk, Villupuram District - 604 102.
Thailapuram : 04147-235345
Mobile : 9445560438

आर्य समाज
Election Commission of India
P & I Section
Date 17 SEP 25
17 SEP 25
नई दिल्ली/New Delhi

To,
The Chief Election Commissioner,
Election Commission of India,
New Delhi

Honoured Sir,
Sub: Pattali Makkal Katchi-Tamil Nadu-Registered- UnRecognized Party-Completion of Tenure of the Dr.R.Anbu Mani-New team of office bearers assumed office from 30-05-2025-Under the New President Dr.S.Rama Doss-Communications already sent -Acknowledgement Received-But Dr.Anbumani who has been removed from the Primary membership of the party-Communication dated 09-09-2025-Appears to be-Issued by oversight-Requested to modify -The New president Dr.S.Ramadass-Founder and his team as per communications dated 30-06-2025-Request to Review and strike-Issue fresh communication by competent authority-reg.

I am to submit and inform that I am the Founder president and the president of the Pattali Makkal Katchi a registered political party which is now unrecognized. The Party was founded by me on 16-07-1989 and functioning smoothly with the aim of achieving social justice to all people of the state of Tamilnadu and Puducherry apart from the country as a whole.

While the things being so, the earlier president Dr.R.Anbumani's tenure as per the party bye-laws expired on 28-05-2025.(28-05-2022 to 28-05-2025) as per our party bye-laws. The party as per its bye-laws selected and elected me as a new president of the Pattali Makkal Katchi with effect from 30-05-2025 and the same was ratified by chief Administrative committee and Executive Committee on 05-07-2025 and 08-07-2025 respectively. The same was approved by the special general body meeting held on 17-08-2025 and the resolutions were adopted for appointing the new team of office bearers and the leadership of president Dr.S.Ramadass for a period of 3

Kind Attn :- Shri. LOVE KUSH YADAV
DIRECTOR SECRETARY



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PATTALI MAKKAL KATCHI

FOUNDER - PRESIDENT : **Dr. S. RAMADOSS**, M.B.B.S.,

Thailapuram Thottam, Vanur Taluk, Villupuram District - 604 102.

Thailapuram : 04147-235345

Mobile : 9445560438



of office bearers and the leadership of president Dr.S.Ramadass for a period of 3 years from 30-05-2025. The same was periodically communicated to the Hon'ble Election Commission of India under due acknowledgement.

As such, it was further decided to remove Dr.Anbumani from the party in view of his anti-party activities as decided by the general council and disciplinary committee.Dr.Anbumani is no more a member of Pattali Makkal Katchi from 11-09-2025 at present Dr.S.Ramadoss founder is also the president

In these circumstances, to the dismay and displeasure of everyone of the party we learnt to understand that a communication dated 09-09-2025 on the basis of an illegal attempt by Dr.Anbumani to extend the tenure of his team for an year is apparently appears to be an act and outcome of suppression of real facts and happenings had preferred a false claim to the Election commission of India which is considered to be a fraud on election commission despite madras high courts dictum to approach competent civil courts as per the orders dated 08-08-2025 (Justice Anand Venkatesh) This is not only an illegal attempt by Dr.Anbumani but also requiring legal action against him and their team for the illegal activities as demonstrated above.

Hence, in his most respectfully prayed before this honourable authority which is competent to cancel the communication dated 09-09-2025 referred above and to pass appropriate a resh direction / communication in favour of the party present president and founder Dr.S.Ramadoss who has been selected and elected by the general council legally conducted by the new president Dr.S.Ramadoss and thus render justice.

Kindly send your kind orders to the above mentioned party Address at the earliest.

Handwritten signature
01/25/2022
TRUE COPY

Handwritten signature
With Warm Regards
Dr.S.Ramadoss
Founder and President
Paatali Makkal Katchi
Tamilnadu

12. Learned Senior Counsel for the petitioner submits that despite the aforesaid communication to the ECI and various other letters, the ECI has issued the second impugned letter dated 27th November, 2025, wherein, it



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has wrongly stated that as per the records of ECI, the term of the office bearers of the petitioner party is valid up to 01st August, 2026 and that Dr. R. Anbumani, is the President of the petitioner party. The impugned letter dated 27th November, 2025, issued by the respondent-ECI, reads as under:

Speed Post**ELECTION COMMISSION OF INDIA**

Nirvachan Sadan, Ashoka Road, New Delhi- 110001

No. 56/73/2023/PPS-III

Dated: 27th November, 2025

To,

Dr. S. Ramadoss
Thailapuram Thottam, Vanur Taluk
Villupuram District,
Tamil Nadu- 604102

Subject:-“**Pattali Makkal Katchi**”, a registered un-recognized Political Party, under Section 29A of R.P. Act, 1951 – **office bearers of the party**- regarding.

Sir/Madam,

I am directed to refer the communications dated 16.09.2025, 17.09.2025, 23.09.2025, 24.09.2025, 06.10.2025, 08.10.2025, 03.11.2025 and 06.11.2025 wherein it has been stated that the term of Dr. R. Anbumani has already been expired on 28.05.2025 and Dr. S. Ramadoss claims to be the new elected President of the party w.e.f. 30.05.2025.

2. As per the records of the Commission, the term of office bearers of “**Pattali Makkal Katchi**” is valid up to 01.08.2026 and Dr. Anbumani Ramadoss is the President of the Party.

3. It is to state that if you are claiming to be the president of the Party, you are advised to approach appropriate party forum or competent court to settle the matter regarding office bearers of the party.

Yours faithfully

(Love Kush Yadav)
Under Secretary

Tel: 011-23052168/Ext. 551

Copy to:

1. **The Chief Electoral Officer, Tamil Nadu**, with the request to deliver the letter at the above-mentioned address under proper acknowledgement and date.
2. **The President, “Pattali Makkal Katchi”**, No.10, Tilak Street, T. Nagar, Chennai-17.
3. Guard File.

01/25/2022

TRUE COPY

13. Learned Senior Counsel for the petitioner relies upon various



judgments of this Court, as well as of the Supreme Court, to submit that the ECI does not have the authority to decide any rival claims with respect to any unrecognized political party, such as the petitioner party in the present case.

14. Thus, it is submitted that the ECI has exceeded its jurisdiction in issuing the impugned letters/communications dated 09th September, 2025 and 27th November, 2025.

15. Responding to the present writ petition, learned counsel for the ECI, at the outset, reiterates the submissions made by learned Senior Counsel for the petitioner and submits that the ECI, as such, has no jurisdiction to decide internal disputes within any unrecognised political party.

16. He submits that the purport of ECI's letter dated 27th November, 2025 was only to convey that in view of the record maintained by the ECI, which was based upon earlier communication received by the ECI under Section 29A(9) of the RP Act, Dr. R. Anbumani was the President of the petitioner party. He further submits that even though such information is received by the ECI in terms of Section 29A(9) of the RP Act, mere receipt of any such information by the ECI under said Section, does not accord any right to the political party/faction, as claimed in their communication to the ECI.

17. Learned counsel for ECI submits that the ECI does not go into any fact-finding inquiry as regards the veracity of the information which is provided to the ECI, i.e., verifying whether the same is correct or not. He further reiterates that the ECI does not have the jurisdiction to decide any internal disputes of an unrecognized political party.

18. It is submitted that in view of the various communications, as received on behalf of Dr. S. Ramadoss, claiming himself to be the President



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of the petitioner party, the ECI, as of today, does not recognize either Dr. R. Anbumani or Dr. S. Ramadoss as the President of the petitioner party, as determining the same would be the subject matter of a civil dispute, to be decided by the Court having competent jurisdiction.

19. Learned counsel for the ECI also relies upon a letter dated 04th December, 2023 received from the petitioner party, wherein, the term of Dr. R. Anbumani as President is stated to be from 22nd June, 2023 till 21st June, 2026. The said letter dated 04th December, 2023, is reproduced as under:

P.S. Mr. R. Anbumani
04/12/23

Speed Post 89

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110 001.

No. 36673/2023/PPS-III / 2943 Dated: 04th December, 2023

Item 5 (R)
4/12

The President,
Pattali Makkal Katchi
No.10, Tilak Street, T. Nagar,
Chennai-47: 600017

Subject: "Pattali Makkal Katchi", a registered un-recognized Political Party, under Section 29A of R.P. Act, 1951 - elected members of office bearers and change of party address - regarding.

Sir/Madam,

I am directed to refer to your letter dated 31.08.2023 received in Commission on 01.09.2023 and to state that the list of newly elected office bearers along with their terms of office in their respective post and the new address of the party has been taken on record, as per the provisions of the party constitution and will be notified in due course.

Term 22.06.2023 to 21.06.2026

President: Dr. Anbumani Ramadoss
General Secretary: Shri Vadivel Ramanan
Treasurer: Smt.M. Thilakabama

New Address of the party

No.10, Tilak Street, T. Nagar, Chennai-17.

The above tenure and election of the officer bearer are subject to the condition that the political party do not re-elect the whole executive body or any member of the Office Bearer and there should neither be any internal dispute nor any case should be filed by anyone for the above mentioned post.

Further, it is also informed that from the list of authorized office bearers if anyone applies for seeking common symbol in any General Election to Legislative Assembly/House of People, his application may be considered with effect from the date mentioned on this letter, provided they fulfil the criteria required for allotment of Common Symbol under Para 10B of Symbol Order, 1968, and not from the date of meeting in which election for office bearers have been held.

Yours faithfully

(Manish Kumar)
UNDER SECRETARY
Ph. 23052008. Ext. 487

जारी किया/ISSUED ON
04 DEC 2023
भारत निर्वाचन आयोग
Election Commission of India
नए दिल्ली/New Delhi-110001

Copy to: -
1. DEO, PPS-III, for updating the records.
2. Guard File

7c



20. He also draws the attention of this Court to a judgment of the Madras High Court in *Pattali Makkal Katchi Versus Dr. R. Anbumani and Others*, 2025 SCC OnLine Mad 4758, to submit that the petitioner herein has already been directed to approach the Civil Court with regard to any dispute pending between the parties.

21. Though the rival faction through its purported general secretary is not a party before this Court, learned Senior Counsel, Mr. Saurabh Kirpal, has put in appearance on his behalf. Mr. Saurabh Kirpal has been heard by this Court.

22. Learned Senior Counsel submits on behalf of the rival faction supporting Dr. R. Anbumani, that communications of the ECI, i.e., impugned letters dated 09th September, 2025 and 27th November, 2025, cannot be set aside by this Court, as this Court cannot exercise any such power under Article 226 of the Constitution of India, 1950. In this regard, he draws the attention of this Court to the judgment of Madras High Court in *Pattali Makkal Katchi (supra)*, to submit that the petitioner ought to approach the competent Civil Court to seek resolution of the issues raised by it. He further submits that, as on date, no such civil suit has been filed by the petitioner.

23. Learned Senior Counsel further submits that Dr. R. Anbumani has always been open to conduct of elections, however, Dr. S. Ramadoss, who is the founder of the petitioner political party and also, the father of Dr. R. Anbumani, does not wish to engage with Dr. R. Anbumani, in any manner.

24. Having heard learned counsels for the parties, at the outset, this Court notes that the dispute before this Court is essentially in the nature of an internal private dispute of an unrecognized political party, wherein, the



founder member of the party, i.e., Dr. S. Ramadoss, claims himself to be the President of petitioner party. Whereas, on the other hand, Dr. R. Anbumani, who is the son of Dr. S. Ramadoss, claims himself to be the current President of the party, having his tenure till August, 2026.

25. Insofar as the position of law in respect of any unrecognised political party is concerned, it is no longer *res integra* that in case of any dispute related to an unrecognized political party, the ECI shall not go into such disputes, which are in the nature of internal disputes between rival factions of the unrecognized political party. In this regard, reference may be made to the judgment of the Division Bench of this Court in the case of ***Chandra Prakash Kaushik Versus Election Commission of India & Anr., 2012 SCC OnLine Del 1617***, wherein, it has been held as under:

“xxx xxx xxx

10. ABHM as aforesaid is not a recognized political party. Though the term “recognized political party” is not defined in the Act but the Explanation to Section 52 thereof provides that “recognized political party” means a political party recognized by the Election Commission under the Election Symbols (Reservation and Allotment) Order, 1968. The said Order vide Clause 15 thereof empowers the ECI, when there are rival sections or groups of a political party each of whom claims to be that party, to after taking into account all the available facts and circumstances and hearing representatives of the sections or groups, decide which of such rival section or group is that recognized political party; such decision of ECI is made binding on all such rival sections or groups. However the said Clause does not apply to unrecognized political parties as ABHM is ECI was/is thus not empowered to in the face of rival claims of respondent no. 2 Swami Chakrapani and others take any decision as to whose claim was correct. That being the position, ECI could not have on 11.11.2010 recognized respondent no. 2 Swami Chakrapani as the President/office bearer of ABHM. We are thus of the view that the decision dated 11.11.2010 of ECI of preferring the claim of respondent no. 2 Swami Chakrapani over that of others was clearly beyond the powers/jurisdiction of ECI. Axiomatically the corrective action of ECI on 14.01.2011 is found to be in accordance with law



and thus cannot be faulted with. We may mention that the Supreme Court in Janata Dal (Samajwadi) v. Election Commission of India (1996) 1 SCC 235 has held the ECI empowered to rescind its orders even in the absence of any specific power therefor. It was held that Section 21 of the General Clauses Act, 1897 applies. ECI was thus empowered to, on 14.01.2011 rescind the earlier order dated 11.11.2010 which as aforesaid was beyond its powers/jurisdiction.

11. We are further of the view that in the absence of ECI being empowered to decide such inter se disputes of an unrecognized political party, the decision dated 11.11.2010 was an administrative decision, not taken in exercise of any quasi judicial powers. The Supreme Court in R.R. Verma v. UOI (1980) 3 SCC 402, has held that decisions in administrative matters cannot be hidebound by the rules and restrictions of judicial procedure.

12. We have opted to pass a speaking judgment even though the term 2010-12 for which the respondent no. 2 Swami Chakrapani claims to be President/office bearer is expiring, to clarify the position since respondent No. 1 ECI may be faced with communication by respondent No. 2 Swami Chakrapani with respect to subsequent years and further since we deem it proper to clarify the position as respondent No. 1 ECI may face such issues qua other political parties also.

xxx xxx xxx”

(Emphasis Supplied)

26. Perusal of the aforesaid judgment clearly shows that, in case, the ECI takes any decision on the issue of rival claims raised by different factions of an unrecognized political party, such decision would be beyond the power/jurisdiction of the ECI as the ECI is not vested with the power/jurisdiction to entertain or adjudicate claims of rival sections or groups of unrecognised political parties, each of whom claims to be that party.

27. This Court further notes the judgment of the Division Bench of this Court in the case of ***Swami Chakrapani Versus Election Commission of India, 2021 SCC OnLine Del 4432***, wherein, the Bench, while dealing with



inter se disputes amongst various rival factions within a political party, held that it was beyond the power and jurisdiction of the ECI to recognize any one faction of a political party as its President. It is pertinent to note herein that both the decisions in *Swami Chakrapani (supra)* and *Chandra Prakash Kaushik (supra)* are in respect of the same unrecognised political party and the subsequent decision of *Swami Chakrapani (supra)* reaffirms the law as discussed in *Chandra Prakash Kaushik (supra)*.

28. Relevant portions of the decision in *Swami Chakrapani (supra)*, read as under:

“xxx xxx xxx

10. Analysis and Findings

xxx xxx xxx

(i) **The claim by the Appellant that he is the National President of ABHM is in dispute.** Communication dated 17.03.2020 sent by ECI to the Appellant reveals that **there are as many as five other groups who are claiming to be genuinely elected party President.**

(ii) From the record, it is evident that in the earlier round of litigation, Appellant had filed a writ petition before this Court being W.P. (C) No. 704/2011, which was allowed by the learned Single Judge vide judgment dated 02.05.2011, setting aside the letter dated 14.01.2011 issued by ECI withdrawing the recognition of the Appellant and restoring the recognition. **However, on an appeal filed by a third party, being LPA No. 522/2011, the Division Bench of this Court set aside the order of the learned Single Judge, vide judgment dated 16.03.2012. The observations of the Division Bench are extremely relevant and have a direct bearing on the issue raised by the Appellant in this appeal.** Relevant paras of the judgment of the Division Bench are as follows: —

“8. It is this ambivalent attitude of respondent No. 1 ECI which has weighed with the learned Single Judge in quashing the letter dated 14.01.2011. We may however notice that even the learned Single Judge has not returned any finding as to the correctness of the decision dated 11.11.2010 of respondent No. 1 ECI recognizing respondent No. 2 Swami Chakrapani as President/office bearer of ABHM. We are of the view that in the face of disputes since the



year 2004, the recognition in the year 2010 of respondent No. 2 Swami Chakrapani as the President/office bearer, notwithstanding the dismissal of the civil suit for non prosecution, could not have been accorded without it being established before the respondent No. 1 ECI, i) as to who all were the members of ABHM; ii) whether the elections as prescribed in the Rules and Regulations of ABHM had been held or not; and iii) whether the respondent No. 2 Swami Chakrapani had so been elected as the office bearer/President. There was no such material before the respondent No. 1 ECI. It cannot also be lost sight of that even as on 11.11.2010, the respondent No. 1 ECI was continuing to receive opposition to the claims of respondent No. 2 Swami Chakrapani. The said opposition however appears to have been disregarded by the respondent No. 1 ECI only for the reason of being without any substantiating documents. However when respondent No. 1 ECI continued to receive objections to the claim of respondent No. 2 Swami Chakrapani, it undoubtedly reviewed its decision dated 11.11.2010.

9. We differ from the opinion of the learned Single Judge that the respondent No. 1 ECI could not have so reviewed its decision without an order of a competent Court of law. That would have been the position had the recognition earlier accorded to the respondent No. 2 Swami Chakrapani been with the consent of all concerned or had the communication of his election as President/office bearer been a unanimous one. It could then have been said that subsequent objection thereto was an afterthought and ECI would then have been justified in refusing to revoke the recognition without Court order of the earlier unanimous intimation being no longer valid. However the respondent No. 1 ECI on 14.01.2011 appears to have felt that its earlier decision dated 11.11.2010 was erroneous. The learned Single judge has held that the respondent no. 1 ECI could not have so corrected its decision. We are however of the view that this Court in exercise of powers of judicial review ought not to interfere with a decision of a body such as the respondent No. 1 ECI which decision is otherwise found to be correct in law. Such a decision cannot be quashed/set aside merely for the reason that earlier an erroneous decision had been taken. **We are further of the view that in the face of such challenges, it is for the person who is wanting to exercise rights as President/office bearer to seek a declaration to such office and he cannot be allowed to hold office or to exercise powers thereof merely for the reason of the others having not approached the Court of law.** We may however clarify that we have so concluded in view of there being no unequivocal document before us of the election of the respondent No. 2 Swami Chakrapani as office



bearer of ABHM in accordance with its constitution. Rather what is before us is, material to show that there have been disputes since the year 2004 as to the internal management of ABHM and which do not appear to have been resolved at any point of time. Merely because the persons who had filed the suit chose not to pursue the same cannot confer any legitimacy to the respondent No. 2 Swami Chakrapani when a large number of other persons concerned with ABHM are continuing to dispute the claim of respondent No. 2 Swami Chakrapani. We have also perused the written statement filed by the respondent No. 2 Swami Chakrapani in the suit aforesaid and from which also we are unable to cull out any clarity on the matter. Moreover the said suit was filed in the year 2007 while what was for consideration in the year 2010 was the election of the respondent No. 2 for the period 2010-12.

10. **ABHM as aforesaid is not a recognized political party.** Though the term “recognized political party” is not defined in the Act but the Explanation to Section 52 thereof provides that “recognized political party” means a political party recognized by the Election Commission under the Election Symbols (Reservation and Allotment) Order, 1968. The said Order vide Clause 15 thereof empowers the ECI, when there are rival sections or groups of a political party each of whom claims to be that party to after taking into account all the available facts and circumstances and hearing representatives of the sections or groups, decide which of such rival section or group is that recognized political party; such decision of ECI is made binding on all such rival sections or groups. **However the said Clause does not apply to unrecognized political parties as ABHM is. ECI was/is thus not empowered to in the face of rival claims of respondent no. 2 Swami Chakrapani and others take any decision as to whose claim was correct. That being the position, ECI could not have on 11.11.2010 recognized respondent no. 2 Swami Chakrapani as the President/office bearer of ABHM. We are thus of the view that the decision dated 11.11.2010 of ECI of preferring the claim of respondent no. 2 Swami Chakrapani over that of others was clearly beyond the powers/jurisdiction of ECI.** Axiomatically the corrective action of ECI on 14.01.2011 is found to be in accordance with law and thus cannot be faulted with. We may mention that the Supreme Court in *Janata Dal (Samajwadi) v. Election Commission of India* (1996) 1 SCC 235 has held the ECI empowered to rescind its orders even in the absence of any specific power therefor. It was held that Section 21 of the General Clauses Act, 1897 applies. ECI was thus empowered to, on 14.01.2011 rescind the earlier order dated 11.11.2010 which as aforesaid was beyond its powers/jurisdiction.



11. We are further of the view that in the absence of ECI being empowered to decide such inter se disputes of an unrecognized political party, the decision dated 11.11.2010 was an administrative decision, not taken in exercise of any quasi-judicial powers. The Supreme Court in R.R. Verma v. UOI (1980) 3 SCC 402, has held that decisions in administrative matters cannot be hidebound by the rules and restrictions of judicial procedure.”

(Emphasis Supplied)

xxx xxx xxx

(iv) Challenge to the orders of the Division Bench was unsuccessful and the SLP was dismissed in limine on 06.05.2013. Reading of the order of the Division Bench leads to an inevitable conclusion that the only remedy available to the Appellant is to seek a declaration in a civil suit with regard to his claim to be a National President of ABHM. The Division Bench clearly observed that it was beyond the powers and jurisdiction of ECI to recognize the Appellant as the President, more so, in view of the inter se disputes, where several rival persons were claiming to be the party President. It was also observed that notwithstanding the dismissal of the civil suit for non-prosecution, filed by one of the rival groups, Appellant could not be recognized as the National President, in the absence of any material to show that he was the elected President and especially in face of the material on record, showing internal disputes in the Management since 2004. The Division Bench also held that in case any person wanted to exercise his or her rights as President/office bearer, it was for him to seek a declaration to that effect and he cannot be allowed to hold office merely for the reason that the others have not approached the Court of Law.

(v) It may also be useful at this stage to allude to the order of the Division Bench dated 13.07.2012, passed in the Review Petition, wherein it was held that the inter se disputes have to be resolved in a civil suit and if the Appellant claimed himself to be the President, it was for him to seek a declaration to that effect. It was reiterated that the ECI does not have the power to exercise any quasi-judicial powers and decide the inter se disputes pertaining to unrecognized political party.

xxx xxx xxx”

(Emphasis Supplied)

29. It is to be noted that the judgment in *Swami Chakrapani (supra)* was



upheld by the Supreme Court in *SLP(C) 21194/2021*, vide order dated 07th February, 2022, wherein, the Supreme Court refused to interfere in the aforesaid judgment of the Division Bench of this Court, in the following manner:

“Heard learned counsel for the parties.

We find no grounds to interfere with the impugned judgment and order passed by the High Court in exercise of jurisdiction under Article 136 of the Constitution of India.

The special leave petition is, accordingly, dismissed.

Pending applications, if any, stand disposed of accordingly.”

(Emphasis Supplied)

30. This Court also takes note of the judgment in the case of ***Janata Party Versus Election Commission of India and Another, 2024 SCC OnLine Del 2642***, wherein, it has been reiterated that it is not for the ECI to resolve any internal disputes within unrecognized political parties. Thus, it was held as follows:

“xxx xxx xxx

18. In Hans Raj Jain (supra), a Division Bench of this court has held that Section 29A(9) of the Representation of the People Act requiring a registered political party to communicate to ECI any change in its name, head office, office bearers, address or any other material matter does not enjoin any corresponding duty on the ECI to exercise any such power over the political parties.

*19. In the present case, **the alleged status of Jai Prakash Bandhu as President of the petitioner is disputed by various rival factions of the petitioner.** As noticed hereinabove, **a civil suit filed by Mr. Navneet Chaturvedi [CS SCJ 228/2023] is still pending in which the said Navneet Chaturvedi claims to be the President of the petitioner.** In the said suit the application under Order VII Rule 11 of CPC filed by Jai Prakash Bandhu stands dismissed. Moreover, vide letter 31.10.2022 Mr. Raj Kapoor communicated to ECI that Jai Prakash Bandhu had been expelled from the party and enclosed a resolution dated 08.08.2022 to substantiate the same. The said resolution also stated that elections of the petitioner were to be held on 01.11.2022.*



Vide letter dated 02.11.2022, Mr. Raj Kapoor claimed to be elected as the President of the party in the said elections purportedly held on 01.11.2022. As held by a Division Bench of this Court in the aforesaid cases, it is not for the ECI to resolve these disputes. No direction can be issued to the ECI by this court to recognize the petitioner as a President of petitioner, in the wake of disputes pending in that regard.

20. Unlike Clause 15 of the Election Symbols (Reservation And Allotment) Order, 1968, which empowers ECI to decide disputes between rival sections or groups of a “recognised political party” each of whom claims to be that party, there is no corresponding provision that empowers ECI to decide disputes between rival sections or groups of a “unrecognized political party”, like the petitioner.

xxx xxx xxx

23. In view of the aforesaid, the prayer/s in the present petition cannot be acceded to in the light of the law laid down in Swami Chakrapani (supra) and Chandra Prakash Kaushik (supra). Accordingly, the present petition, alongwith pending application/s, is dismissed.”

(Emphasis Supplied)

31. Thus, the position of law as propounded by this Court is that, while Clause 15 of the Election Symbols (Reservation And Allotment) Order, 1968, empowers ECI to decide disputes between rival sections or groups of a “recognised political party” each of whom claims to be that party, there is no corresponding provision that empowers ECI to decide disputes between rival sections or groups of a “unrecognized political party”, like the petitioner herein.

32. This Court also considers the judgment passed by this Court in *Govind Yadav Versus Union of India and Others, 2024 SCC OnLine Del 6016*, wherein, with respect to the scope of Section 29A(9) of the RP Act, it has been categorically held that the said Section only obliges a political party to inform the ECI of any changes in the registration details, so that



correction can be made by the ECI in its record, and communications can be addressed accurately. However, there is no specific duty imposed upon the ECI to give any finding concerning the internal affairs of a political party. The portions of the said judgment in *Govind Yadav (supra)*, relevant to the issue at hand, read as under:

“xxx xxx xxx

23. In the context of sub-section 9 of Section 29-A of the RP Act and its contours, a Division Bench of this Court in *S.S. Karana case [S.S. Karana v. Election Commission of India, 1993 SCC OnLine Del 257]* has held that following the registration of an association or body as a political party, any alteration to its name, head office, office bearers, address, or other material matters must be promptly communicated to the ECI without any delay. This requirement ensures that any changes to the details initially provided in the registration application, as mandated by sub-section (4), are updated for the facility of the political party. **The obligation rests with the political party to inform the ECI of such changes so that corrections can be made in its record and communications can be accurately addressed. The Court observed that no specific duty imposed upon the ECI or neglect thereof could be demonstrated in light of the said provision.** In paragraph 6 and 7 of the judgment, the Court further ruled that **matters concerning the internal affairs of a political party, including any deviations, cannot be contested in a petition under Article 226 of the Constitution of India.** The relevant portion has been culled out below for reference:-

“6. The entire argument by counsel for the petitioner was that under sub-section (9) it is the duty of the Election Commission to see that a registered political party complies with its memorandum or rules and regulations and if any political party does not conform to them, a writ petition would lie. **A reading of sub-section (9) shows that after an association or body has been registered as a political party, any change in its name, head office, office bearers, address or in any other material matters shall be communicated to the Commission without delay.** This only shows that if there is any change in the particulars, which were contained in the application at the time of registration, as required by sub-section (4), that has to be intimated to the Election Commission for the facility of the political party and there is no duty enjoined on the Election Commission. **The duty is cast on the political party, that if there is any change in the aforesaid particulars, the**



Election Commission may be informed immediately so that it may make correction in its record and if there is any communication to be addressed, it may be addressed in the name of the correct person and at the correct address. The petitioner does not disclose as to what duty was enjoined upon the Election Commission, which it has failed to carry out.

7. It is urged by the learned counsel for the petitioner that the members on the AICC attending the Suraj Kund Session agreed to deviate from the party constitution and thereby illegally empowered the President of the AICC to nominate two members to the Working Committee, who according to the constitution of the organisation have to be elected. **To our mind it is internal affair of the political party and deviation, if any, cannot be called in question in a petition under Article 226 of the Constitution of India.**

24. In another decision, in the case of Hans Raj Jain case [Hans Raj Jain v. Election Commission of India, 2015 SCC OnLine Del 8173], a Division Bench of this Court held that, although there are guidelines mandating the incorporation of specific provisions, in the rules or constitution of an association or body seeking registration as a political party, regarding internal democracy, organizational elections at various levels, and the methods of such elections, **neither Section 29A of RP Act nor the aforementioned guidelines impose a requirement for the ECI to conduct an inquiry into the fairness or validity of elections held for the positions of office bearers within the political party.** The relevant portion of the said decision has been extracted below for reference:-

“19. ECI, in exercise of powers conferred by Article 324 of the Constitution of India and Section 29A of the RP Act has issued “Guidelines and Application Format for Registration of Political Parties under Section 29A of the Representation of the Act, 1951.” Though the said Guidelines inter alia require that there should be a specific provision in the Rules/Constitution of the association or body of persons seeking registration as political party regarding internal democracy in the party, organizational elections at different levels, mode of such elections etc. but **there is nothing, either in Section 29A or in the said Guidelines requiring an inquiry to be conducted into the fairness and validity of the elections held for the post of office bearers of such political party.** The objection of the petitioner that the elections of the Executive Committee of AAP were held arbitrarily without adopting democratic procedure is of no avail. Similarly, though the said Guidelines require the application for registration to be



accompanied with individual affidavits from at least 100 members of the Party but there is again no requirement for the ECI to, prior to registration investigate into the validity of the said affidavits if otherwise on face they are affidavits of members of such party. Similarly, we do not find any provision requiring ECI to inquire/investigate if in the documents furnished the address of any office bearer of a political party seeking registration is shown at different two addresses. Section 18 of the Representation of the People Act, 1950 to which reference is made only contains prohibition against registration on the electoral rolls for more than one constituency. Violation thereof has, in *Pothula Rama Rao v. Pendyala Venakata Krishna Rao*, (2007) 11 SCC 1 and in *Ramnarain Ramgopal Chamediya v. Ramchandra Jagoba Kadu*, AIR 1958 Bom 325, been held to be not fatal. There is no provision in Section 29A or in the Guidelines for scrutiny/investigation to be done and for the reason of not doing of which the petitioner finds fault with the registration. It is significant that no person who may have been shown as a member of the party has come forward to say that he/she was shown a member of the party without his/her consent. Similarly no person at whose address AAP may have shown its office has come forward to say that he had not allowed AAP to use its premises as an officer or had not given NOC therefor. A political party is like a club and in respect whereto the law is clear that the Courts will not interfere in its indoor management.

20. Mention may also be made of S.S. Karana v. Election Commission where a Division Bench of this Court held that Section 29A(9) requiring a registered political party to communicate to ECI any change in its name, head office, office bearers, address or any other material matter does not enjoin any corresponding duty on the ECI to exercise any such power over the political parties.”

xxx xxx xxx”

(Emphasis Supplied)

33. Thus, any information that is provided to the ECI in terms of Section 29A(9) of the RP Act, is only for the purposes of providing the information to the ECI with respect to any change in the name, head office, office bearers, address, etc. of a registered political party. The ECI receives such information so that the record of the ECI with respect to a registered



political party is updated. However, the ECI does not verify or examine the veracity of such information that may be provided to the ECI. Further, no faction or any person can claim any special equity on the basis of any such information that may be in the record of the ECI, when there are internal disputes within the unrecognized registered political party with regard to any issue. The ECI will not recognize any rival faction of a registered unrecognized party in case of internal disputes, as it is not for the ECI to resolve these disputes. Such *inter se* disputes in a registered and unrecognized party, would have to be resolved in a civil suit.

34. Lastly, this Court also takes note of the judgment in the case of ***Pattali Makkal Katchi Versus Dr. R. Anbumani and Others, 2025 SCC OnLine Mad 4758***, passed by the Madras High Court, as also cited by the respondent-ECI and on behalf of the faction supporting Dr. R. Anbumani, wherein, it has been held as under:

“xxx xxx xxx

14. The issue as to whether the meeting is properly convened by the 1st respondent as per by-laws, is not a matter which can be gone into in a writ petition. It is purely a private dispute within the Party as between the founder and the 1st respondent. Hence, it is not necessary for this Court to deal with all the grounds raised by the learned counsel for the petitioner and the learned counsel for the 1st respondent, touching upon the by-laws. At the best, it can only be a subject matter of civil proceedings where the so-called illegality in convening the General Body Meeting and electing the President can be questioned.

15. As already observed supra, a private dispute between the father and the son can never be dealt with in a writ petition. A writ petition is normally not maintainable as against a private person in the absence of a public duty component. Useful reference can be made to the judgement of the Apex Court in ***S. Shobha vs. Muthoot Finance Ltd.***, reported in **2025 4 CTC 327** and the relevant portions are extracted hereunder:



9. We may sum up thus:

(1) For issuing writ against a legal entity, it would have to be an instrumentality or agency of a State or should have been entrusted with such functions as are Governmental or closely associated therewith by being of public importance or being fundamental to the life of the people and hence Governmental.

(2) A writ petition under Article 226 of the Constitution of India may be maintainable against (i) the State Government; (ii) Authority; (iii) a statutory body; (iv) an instrumentality or agency of the State; (v) a company which is financed and owned by the State; (vi) a private body run substantially on State funding; (vii) a private body discharging public duty or positive obligation of public nature; and (viii) a person or a body under liability to discharge any function under any Statute, to compel it to perform such a statutory function.

(3) Although a non-banking finance company like the Muthoot Finance Ltd. with which we are concerned is duty bound to follow and abide by the guidelines provided by the Reserve Bank of India for smooth conduct of its affairs in carrying on its business, yet those are of regulatory measures to keep it in check and provide guideline and not a participatory dominance or control over the affairs of the company.

(4) A private company carrying on banking business as a Scheduled bank cannot be termed as a company carrying on any public function or public duty.

(5) Normally, mandamus is issued to a public body or authority to compel it to perform some public duty cast upon it by some statute or statutory rule. In exceptional cases a writ of mandamus or a writ in the nature of mandamus may issue to a private body, but only where a public duty is cast upon such private body by a statute or statutory rule and only to compel such body to perform its public duty.

(6) Merely because a statute or a rule having the force of a statute requires a company or some other body to do a particular thing, it does not possess the attribute of a statutory body.

(7) If a private body is discharging a public function and the denial of any rights is in connection with the public duty imposed on such body, the public law remedy can be enforced. The duty cast on the public body may be either statutory or otherwise and the source of



such power is immaterial but, nevertheless, there must be the public law element in such action.

(8) According to Halsbury's Laws of England, 3rd Ed. Vol.30, 12 p.682, "a public authority is a body not necessarily a county council, municipal corporation or other local authority which has public statutory duties to perform, and which perform the duties and carries out its transactions for the benefit of the public and not for private profit". There cannot be any general definition of public authority or public action. The facts of each case decide the point.

xxx xxx xxx"

(Emphasis Supplied)

35. It is apparent upon perusal of the aforesaid judgment that the Madras High Court has already given a categorical finding that such a private dispute as the present with regard to rival claims, especially between a father and son, shall not be entertained by a High Court under Article 226 of the Constitution of India. Further, such disputes ought to be raised before the Civil Court of competent jurisdiction.

36. This Court also notes the submission made by learned counsel for the ECI that communications dated 09th September, 2025 and 27th November, 2025, may not be read as any decision by the ECI on the merits of any of the rival claims raised with respect to the petitioner party. This Court further notes the submission of learned counsel for the ECI that the tenor of the said letters be read in the manner that the ECI has clearly advised that in case of any rival disputes, the concerned parties ought to approach the competent Civil Court to settle such disputes.

37. This Court also records the submissions made by learned counsel for the ECI that the ECI shall not decide upon any controversy with regard to the recognition of either Dr. R. Anbumani or Dr. S. Ramadoss, as the President of the petitioner party.



38. Accordingly, in view of the settled law discussed hereinabove and upon consideration of the submissions advanced by the parties before this Court, it is manifest that the ECI has no power or jurisdiction to give any finding as regards internal disputes emanating from rival sections within an unrecognized political party, as in the case of the petitioner political party. Furthermore, the ECI, as such, shall not recognize or de-recognize any rival faction or any claims that may be raised by any rival faction.

39. Accordingly, with the aforesaid clarification, and noting the position of law as above, the present writ petition, along with pending applications, is disposed of.

MINI PUSHKARNA, J

DECEMBER 4, 2025/au