



2026:DHC:923



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

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Date of decision: 2nd February, 2026

+ W.P.(C) 1361/2026 & CM APPL. 6727/2026

HARI RAJMANIKKAM (PRESIDENT OF
PROPOSED POLITICAL PARTY BHARTIYA
DRAVIDA JANATHA PARTY APPROVED
NAME NATIONAL DRAVIDA REGIONAL
PARTY

.....Petitioner

Through: Mr. Ali Md. Maaz, Advocate

versus

ELECTION COMMISSION OF INDIA

.....Respondent

Through: Ms. Rohini Prasad, Ms. Anshika
Ranjan and Ms. Samridhi Srivastava,
Advocates for R-1

**CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL**

AMIT BANSAL, J. (Oral)

1. The present writ petition has been filed seeking the following reliefs:-

“A) issue a writ of mandamus or any other appropriate writ, order or direction to the respondent declaring the



ongoing physical verification of founding members are ultra vires, illegal, arbitrary and unlawful and without any force of Law.

B) Issue a writ of mandamus, or any other appropriate writ, order, or direction, directing the Respondent to grant the Petitioner a personal hearing as the mandatory publication having already been completed several months ago, and thereafter to conclude the registration process and issue the certificate of registration, thereby enabling the Petitioner-Party to contest the forthcoming Tamil Nadu State Legislative Assembly elections, within a period of 30 days from the date of the order passed by this Hon'ble Court."

2. It is the case of the petitioner that the petitioner had applied with the respondent/Election Commission of India (hereinafter 'ECI') for registration of a political party as far back as 19th April, 2024. Despite so much time having elapsed and the petitioner having to approach this Court by filing two writ petitions, the petitioner has still not been granted registration of his political party.

3. To appreciate the submissions of the parties, it may be relevant to take note of some of the facts obtaining in the petition.

4. The application for registration of the political party was filed by the petitioner for the first time on 19th April, 2024. The same was responded to by the respondent/ECI on 6th September, 2024, pointing out certain deficiencies. For the sake of convenience, the communication dated 6th September 2024 is set out below: The deficiencies are set out in paragraph 2 of the said communication:-



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By Speed Post

ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110001

F. No. 56/109/2024/PPS-I/2827

Dated: 6th September, 2024.

To

✓ The President,
C/o "Bharathiya Dravida Janatha Party",
At-Flat No.-A4, 4th Floor, 12th Square Apartment,
T.C. Palya Main Road, Near Reliance Fresh,
T.C. Palya Bangalore- 560036

Subject: -Application for registration of "Bharathiya Dravida Janatha Party" as a political party under Section 29A of the Representation of the People Act, 1951- Regarding.
Sir/Madam,

With reference to your application dated 19.04.2024 for registration of "Bharatiya Dravida Janatha Party" under section 29A of the Representation of the People Act, 1951, I am directed to state that proposed name "Bharatiya Dravida Janatha Party" closely resembles with the name of some other parties already registered party or under consideration with the Commission. Therefore, you are advised to propose a panel of at least three alternate names and furnish the same for the Commission's consideration.

2. You are also advised to furnish following particulars/document: -

- Check list item No. 28: Fresh affidavits relating to assets and liabilities notarized on non-judicial stamp paper or with court fee stamp, if on plain paper in the prescribed format (copy enclosed) as per the Commission's guidelines in respect of all office bearers.
- Check list item Nos. 29/30: ITR for A.Y. 2023-24 or Income Certificate with source of the income issued by an appropriate competent authority in respect of party President.

6. It is hereby informed that if all the above-mentioned documents/particulars are not received in the Commission within a period of 45 days from the date of issue of this letter the case of registration of the party will be closed without any further communication in the matter.

7. The matter of registration of your party will be considered only after the receipt of the above mentioned particulars.

Yours faithfully,

(JUSMEET KAUR)
UNDER SECRETARY

Encl:

Copy to: Guard File.



5. In response to the aforesaid communication, the petitioner proposed other names for the political party and also sought time to submit the documents as sought by the respondent.

6. To a pointed out query from the Court as to when the petitioner supplied the documents referred to in paragraph 2 of the aforesaid letter issued by the respondent/ECI, counsel for the petitioner is not able to give a clear response.

7. The petitioner approached this Court by way of a writ petition W.P.(C) 2144/2025, which was disposed of while permitting the petitioner to furnish the requisite information/documents to the respondent/ECI. The operative part of the order dated 19th February 2025, disposing of the said writ petition, is set out below:-

“8. Writ petition is accordingly disposed of permitting the Petitioner to furnish the requisite information/documents to ECI, as undertaken, within the stipulated time. On receipt of the documents/information, case of the Petitioner will be processed for approval as per the procedure laid down in the guidelines of the Commission including inviting objections from the existing parties, etc. In case the documents/information required are not furnished within the time frame aforementioned, ECI will be at liberty to close the case of the Petitioner, without any further communication.”

8. The requisite information was supplied by the petitioner to the respondent/ECI on 10th March, 2025 and thereafter the respondent/ECI proceeded with the verification of the information submitted by the petitioner.

9. The petitioner filed yet another writ petition, being W.P.(C) 11123/2025, which was disposed of *vide* order dated 30th July 2025. The



relevant findings from the said order are set out below:-

“10. Thus, it is submitted that the respondent is considering the application of the petitioner, and that the petitioner is required to file a reply to the aforesaid letter dated 25th July, 2025.

11. In rejoinder, learned counsel appearing for the petitioner submits that he shall file a reply to the aforesaid letter, expeditiously, within a period of five days.

12. Having heard learned counsels for the parties, it transpires that the respondent is considering the application of the petitioner, and the same is under process. This Court takes note of the fact that a Verification Report dated 25th June, 2025, has been received by the respondent-Election Commission of India from the office of the District Election Officer, Bangalore.

13. Pursuant thereto, a letter dated 25th July, 2025 has been written by the respondent to the petitioner herein, clearly seeking reply from the petitioner with regard to the office of the petitioner located at Flat No. A4, 4th Floor, 12th Square Apartment, T. C. Palya Main Road, near Reliance Fresh, T. C. Palya, Bangalore-560036.

14. Accordingly, it is manifest that the respondent-Election Commission of India is dealing with the application of the petitioner.

15. Considering the facts and circumstances as aforesaid, the petitioner is directed to reply to the letter dated 25th July, 2025, issued by the respondent, within a period of one week from today.

16. Upon the petitioner filing the reply, the same shall be considered by the respondent expeditiously.

17. Further, final decision on the application of the petitioner for registration of the party shall be taken at the earliest, preferably, within a period of six months, from today.”

10. On 27th August 2025, the petitioner furnished a fresh address to the respondent/ECI.



11. Ms. Rohini Prasad, counsel appearing for the petitioner has handed over a communication dated 30th January 2026 from the respondent/Election Commissioner of India to the petitioner wherein it has been stated that upon a verification exercise conducted by the ECI in respect of the 20 members who furnished affidavits in support of the petitioner party, 10 members have denied being members of the said party and appending their signatures on the affidavits furnished to the ECI.

11.1. The aforesaid letter is taken on record.

11.2. The relevant extracts from the said letter is set out below:-

“I am directed to invite your attention on the subject cited and to state that some discrepancies have been mentioned in the verification report furnished by O/o the Chief Electoral Officer, Karnataka vide their letter dated 27.01.2026 (copy enclosed). In the aforesaid report, ten members have denied being members of the party and appending their signature on the individual affidavits furnished by you in the Commission. Further, in respect of one member, it has been reported that on enquiry made with local residents no person by said name was known nor was the address found to exist as stated.

2. You are therefore, required to furnish a clarification along with supporting documents, which could justify the discrepancies reported by O/o Chief Electoral Officer, Karnataka at the earliest.”

12. Counsel for the petitioner submits that there is no requirement under the Representation of the Peoples Act, 1950 for the ECI to conduct such a verification exercise.

13. To appreciate the submissions of the parties, a reference may be made to the relevant provisions of the aforesaid Act.



“29A. Registration with the Election Commission of associations and bodies as political parties.

(1) Any association or body of individual citizens of India calling itself a political party and intending to avail itself of the provisions of this Part shall make an application to the Election Commission for its registration as a political party for the purposes of this Act.

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(4) Every such application shall contain the following particulars, namely:

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(c) the address to which letters and other communications meant for it should be sent;

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(6) The Commission may call for such other particulars as it may deem fit from the association or body.

(7) After considering all the particulars as aforesaid in its possession and any other necessary and relevant factors and after giving the representatives of the association or body reasonable opportunity of being heard, the Commission shall decide either to register the association or body as a political party for the purposes of this Part, or not so to register it; and the Commission shall communicate its decision to the association or body.”

14. Reference may also be made to the guidelines of the Election Commission of India framed in terms of Section 29A of the Representation of the People Act, 1950.

“(vii) Extracts from the latest electoral rolls in respect of at least 100 members of the organisation (including all office-bearers/members of main decision making organs like Executive Committee/Executive Council) duly certified by the Electoral Registration Officer of concerned assembly constituency to show that they are registered electors.



Alternatively, photocopies of Elector Photo Identity Cards (EPICs) of the members duly attested by a Gazetted officer or Notary should be submitted.

(viii) An affidavit duly signed by the President/General Secretary of the applicant party and sworn before a 1st class Magistrate/Oath Commissioner/Notary Public to the effect that no member of the organisation is a member of any other political party registered with the Commission **(Specimen of affidavit at Annexure-III).**

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(ix) Individual affidavits from atleast 100 members of the party to the effect that the said member is a registered elector and that he is not a member of any other political party registered with the Commission. These affidavits should be on Stamp Paper of atleast Rs. 2/- denomination and duly sworn before a 1st class Magistrate/Oath Commissioner/Notary Public. These affidavits should be from those persons in respect of whom certified extracts of electoral rolls or EPICs are being furnished as mentioned in Para (v) **(Specimen of affidavit at Annexure-IV).**

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(xii) The applicant party has to produce a **No Objection Certificate, in the form of an affidavit on stamp paper**, from the owner of the premises where the party office is situated **with certified copies** of tangible proof, **such as House Tax Receipt or Registry papers, etc.,** of ownership of the premises.

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(xiv) Separate Affidavits from the office bearers of the main organs of the applicant party in respect of their Assets and Liabilities have to be furnished. (Format enclosed at **Annexure-V).**

(xv) The office bearers of the applicant party have to furnish a copy of their Income Tax Returns filed for the last three years, if they are Income Tax any office bearer is not Income Tax payee he/she has to furnish certified details of his/her monthly income alongwith source of income.”



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15. In light of the above, in my considered view, the respondent/ECI is well within its rights to demand affidavits of 100 members of the party stating that they are members of the party. Further, ECI is entitled to carry out the verification exercised in respect of the details furnished by the petitioner party. It is a serious matter that in respect of verification exercise carried out by ECI for the 20 members who had given an affidavit stating that they are members of the petitioner party, 10 members have denied appending their signatures in affidavits or the fact that they are members of the petitioner party.

16. In view thereof, the respondent/ECI is justified in seeking clarifications from the petitioner in terms of the letter dated 30th January 2026.

17. In view of the discussion above, the petitioner is not entitled to the reliefs sought in the present petitioner

18. Accordingly, the present writ petition is disposed of with liberty to the petitioner to file a clarification as sought in the communication dated 30th January 2026.

19. Counsel for the petitioner submits that the respondent/ECI should at least provide the details of the aforesaid 10 members who denied signing the affidavits, being members of the political party.

20. A direction is also issued to the respondent/ECI to furnish details of the ten (10) members who have denied their signatures on the affidavits within two (2) weeks from today.

AMIT BANSAL, J

FEBRUARY 2, 2026/ds