Madras HC Dismisses Plea to Bar Resigned MLAs from Recontesting Bypolls

The Madras High Court dismissed a public interest litigation (PIL) seeking to prevent resigned MLAs from contesting subsequent by-elections.

A judicial ruling clarifying that restricting resigned legislators from contesting elections is a matter of parliamentary legislation, not judicial intervention.

KEY EXAM POINTS

- On **September 24, 2026**, a **Madras High Court** bench comprising **Chief Justice Sushrut Arvind Dharmadhikari** and Justice G. Arul Murugan dismissed the PIL.
- The PIL sought to restrain by-elections in **Madurantakam** and **Dharapuram** constituencies until a decision on barring resigned MLAs was made.
- The petition highlighted that resigned MLAs **Maragatham Kumaravel** and **P. Sathyabama** were declared as candidates for the **Tamilaga Vettri Kazhagam** (TVK).
- The High Court ruled that only **Parliament** has the constitutional authority to legislate on **disqualifications** or restrictions for contesting elections.

DID YOU KNOW..!?

Article 190(3)(b) of the Indian Constitution states that an MLA's seat becomes vacant upon resignation, provided it is accepted by the **Speaker**.

Section 151A of the **Representation of the People Act, 1951** mandates that a by-election must be held within **six months** from the date of vacancy.

In the landmark **Shrimanth Balasaheb Patil v. Speaker** case (**2019**), the Supreme Court ruled that the Speaker cannot bar resigned or disqualified MLAs from contesting future elections.

Article 191 of the Constitution details the grounds for disqualification of members of the Legislative Assembly or Legislative Council of a State.

The **Tenth Schedule** of the Constitution, introduced by the **52nd Amendment Act** of **1985**, governs disqualification on the ground of defection.

REVISION FLASHCARD

Madras HC ruled that restricting resigned MLAs from recontesting by-elections is under Parliament's legislative domain.

Syllabus Relevance: High relevance for questions on State Legislature, MLA resignation, and Representation of the People Act.

Daily Current Affairs
Read the most important daily exam-relevant news summaries easily on Essaar.
Read Online: essaaracademy.in/ca