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Madras HC upholds TN Speaker's decision on AIADMK MLAs' resignations

The Madras High Court upheld the Tamil Nadu Assembly Speaker's decision to accept the resignations of six AIADMK MLAs who joined the ruling TVK.

A landmark judicial ruling regarding the powers of a Legislative Assembly Speaker under the Constitution regarding MLA resignations and disqualification proceedings.

KEY EXAM POINTS

- The Madras High Court upheld the decision of Tamil Nadu Assembly Speaker **J.C.D. Prabhakar** on Monday, **October 13, 2026**.
- The case involved six **AIADMK MLAs** who submitted their resignations after joining the ruling TVK party.
- The first Division Bench comprising **Chief Justice Sushrut Arvind Dharmadhikari** and **Justice G. Arul Murugan** pronounced the verdict.
- The bench directed the Speaker to conclude the pending disqualification proceedings against four out of the six MLAs within **two months**.

DID YOU KNOW..!?

Article 190(3)(b) of the Indian Constitution deals with the resignation of members of the State Legislature and the Speaker's power to accept it after verifying voluntary and genuine nature.

The **Tenth Schedule** of the Indian Constitution, added by the **52nd Constitutional Amendment Act** of 1985, contains provisions relating to disqualification on the ground of defection.

Under the Tenth Schedule, the authority to decide on the disqualification of a member of the House rests with the **Speaker** or Chairman of the House.

In the landmark **Kihoto Hollohan v. Zachillhu (1992)** case, the Supreme Court held that the Speaker's orders under the Tenth Schedule are subject to judicial review.

Article 226 of the Constitution empowers the High Courts to issue writs for the enforcement of fundamental rights and for any other purpose, providing the basis for judicial scrutiny of Speaker decisions.

The office of the Speaker in India originates from the **Government of India Act 1919** (Montagu-Chelmsford Reforms), which established the Central Legislative Assembly.

REVISION FLASHCARD

Madras High Court upheld the TN Assembly Speaker's decision on accepting six AIADMK MLAs' resignations under Article 190.

Syllabus Relevance: Highly relevant for Group 1 & Group 2 Polity syllabus regarding the powers of the Speaker, Anti-Defection Law, and Judicial Review.

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