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SC disposes of DMK's appeal on disqualification of 11 AIADMK MLAs

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The Supreme Court disposed of an appeal by the DMK on the disqualification of 11 AIADMK MLAs for voting against Tamil Nadu Chief Minister Edappadi K. Palanisamy in a confidence motion in 2017 after the Advocate General informed the court on Friday that the Speaker had issued notice in the disqualification proceedings.

Chief Justice of India Sharad A. Bobde refused to put the Speaker on a deadline. "Needless to mention the Speaker had to take a deci-

sion in accordance with the law," he observed.

Senior advocate Kapil Sibal again referred to a January 21 judgment by a Bench, led by Justice Rohinton F. Nariman, which required the Speakers of the Lok Sabha and the Assemblies to decide disqualification petitions within a "reasonable period" of three months.

This judgment also urged Parliament to amend the Constitution to strip Speakers, who may be biased by their political ideology, of their power to decide disqualification pleas under the

Tenth Schedule and hand it over to an independent tribunal to decide fairly and impartially.

Mr. Sibal appeared for DMK leader R. Sakkarapani, who appealed an April 2018 order of the Madras HC. The High Court held that it could not, merely on the basis of a writ petition under Article 226, encroach on the Speaker's powers under the Tenth Schedule. It refrained from passing any order on the prayer for a mandamus to the Speaker to disqualify the 11 AIADMK legislators under the anti-defection law.