



UPSC & STATE PCS CURRENT AFFAIRS · UJIYARI.COM

DAILY CURRENT AFFAIRS

Tamil Nadu Constitutional Crisis: Governor Blocks Vijay-TVK Swearing-In

8 May 2026

POLITY

GS2

CURATED & WRITTEN BY

**Bharat Choudhary**

UPSC Educator & Content Creator

[linkedin.com/in/epicbharat](https://www.linkedin.com/in/epicbharat)**ALSO FROM THE CREATOR****BharatNotes**Free UPSC notes, MCQs, PYQ analysis. **100% Free.**bharatnotes.com →**ADVERTISE****Advertise with Ujiyari**

Reach thousands of UPSC aspirants daily.

epicbharat@gmail.com

Tamil Nadu Constitutional Crisis: Governor Blocks Vijay-TVK Swearing-In

8 May 2026 · 5 min read · 1 tag

WHY IN NEWS

Tamil Nadu is in the grip of a **constitutional crisis** after Governor **Rajendra Vishwanath Arlekar** refused to invite actor-politician **Vijay** (leader of **Tamilaga Vettri Kazhagam — TVK**) to be sworn in as Chief Minister. As background, the Tamil Nadu Legislative Assembly elections were held in 2026 — polling and counting completed on May 4, 2026 — with TVK winning **108 out of 234 seats** — making it the **single largest party** and ending the state’s 59-year Dravidian duopoly (DMK–AIADMK). The **impasse** intensified on **May 7–8, 2026**, with TVK threatening mass resignation and constitutional experts squarely criticising the Governor’s stance.

BACKGROUND: TAMIL NADU ELECTION RESULTS 2026

METRIC	DETAILS
Election date	Polling and counting completed on May 4, 2026
Assembly	Tamil Nadu Legislative Assembly; 234 seats
Majority mark	118 seats
TVK seats won	108
DMK seats	~64
AIADMK seats	~38
Congress	5 (support extended to TVK)
TVK + Congress total	113 (5 short of majority)

TVK’s 108-seat performance is a **historic political earthquake** — it is the first time since 1967 that neither the DMK nor the AIADMK is the largest party in Tamil Nadu.

THE CONSTITUTIONAL DISPUTE

The Governor's Position

Governor Arlekar insisted that TVK produce written letters of support from **at least 118 MLAs** (the full majority threshold) **before** any swearing-in ceremony is arranged. The Governor met Vijay on **May 6 and May 7** but declined both times to proceed with an invitation to form the government.

TVK's Position

Vijay argued that **constitutional convention and precedent** require that the single largest party be **invited to form the government first**, and then prove majority support on the **floor of the House** through a confidence vote — not before taking oath. This is the standard practice followed in virtually every state.

Constitutional Framework

ARTICLE	PROVISION
Article 163	Council of Ministers shall aid and advise the Governor; Governor acts on Council's advice in most matters
Article 164	Chief Minister appointed by Governor; other ministers on CM's advice
Article 175(2)	Governor may summon House to test majority (floor test)
Tenth Schedule	Anti-defection provisions (separate, applies post-oath)

The Supreme Court in **Rameshwar Prasad v. Union of India (2006)** and **S.R. Bommai v. Union of India (1994)** has consistently held that:

- ❶ The floor of the House — not the Raj Bhavan — is the constitutional locus for testing majority.
- ❷ Governors cannot demand majority proof before invitation; the proper process is the floor test.
- ❸ Governors are constitutional functionaries who must act on the **aid and advice** of elected governments (Article 163); the discretionary power to invite a CM is narrow.

POLITICAL FLASHPOINTS

TVK's Mass Resignation Threat

TVK declared that if the DMK or AIADMK attempts to stake claim to the government through any back-channel arrangement, **all 108 TVK MLAs will resign** — a move that would force a fresh election.

Coalition Math in Progress

With Congress (5 seats) already on board, TVK is at **113**. Negotiations are ongoing with:

- **CPI and CPM** (Left parties)
- **VCK** (Viduthalai Chiruthaigal Katchi)
- Smaller independent and regional MLAs

The Left parties' national leadership explicitly stated it is "not appropriate" for the Governor to demand proof of majority before swearing-in.

Protest and Public Opinion

Tamil Nadu Congress staged protests in Chennai. Constitutional lawyers and former judges described the Governor's conduct as "clearly overstepping discretion."

WHY THIS MATTERS: BROADER CONSTITUTIONAL PATTERN

This is not an isolated instance. Governors in opposition-ruled states have repeatedly been at the centre of controversy since 2019 — in **Maharashtra** (2019), **Jharkhand** (2019), **Karnataka** (2023), **Telangana** (2024), and now Tamil Nadu (2026). The **Punchhi Commission (2010)** and **Sarkaria Commission (1988)** both recommended that Governors should invariably invite the single largest party or pre-election coalition to form the government.

Key Principles Emerging from Jurisprudence

- ❶ **Floor Test is sacrosanct** — Only the elected House can test majority (S.R. Bommai).
- ❷ **Governor cannot be partisan** — Must act on aid and advice; discretion is constitutionally narrow.
- ❸ **Article 212** — Courts generally cannot enquire into Parliamentary/Assembly proceedings; but a Governor's inaction is not protected.
- ❹ **Anti-defection (Tenth Schedule)** applies only after MLAs take oath and vote — not in the pre-government-formation phase.

UPSC RELEVANCE

Tamil Nadu elections 2026; TVK (Tamilaga Vettri Kazhagam); 108/234 seats; majority mark 118; Governor R.V. Arlekar; Articles 163, 164, 175; S.R. Bommai case 1994; Rameshwar Prasad case 2006; Punchhi Commission; Sarkaria Commission

Role of Governor in government formation; constitutional discretion vs convention; federalism and Centre-state relations; floor test vs pre-oath majority proof; anti-defection law's inapplicability in pre-government phase

"The Governor's office has repeatedly become an instrument of political partisanship — is it time to rethink the office?" / "Constitutional conventions, not just constitutional text, define the limits of the Governor's role."

FACTS CORNER — KNOWLEDGEPEDIA

Tamil Nadu Assembly 2026: 234 seats; majority = 118; TVK won 108 (single largest); DMK ~64; AIADMK ~38

TVK: Tamilaga Vettri Kazhagam; founded by actor Vijay (Thalapathy); contested first election in 2026

Vijay won from both Perambur (Chennai) and Tiruchirappalli East — contested two seats

Governor: Rajendra Vishwanath Arlekar; refused to invite without majority proof

TVK + Congress = 113 (as of May 8, 2026); 5 short of majority

S.R. Bommai v. Union of India (1994): Landmark SC ruling — floor of House is the only place to test majority; Governor cannot dismiss government without floor test

Rameshwar Prasad v. Union of India (2006): SC reiterated Governor's role is not partisan; invitation must be to largest pre-poll alliance/single party

Punchhi Commission (2010): Recommended single largest party/pre-election coalition must be invited first

Sarkaria Commission (1988): Governor should act on convention, not partisan calculation

59-year duopoly broken: First time since 1967 neither DMK nor AIADMK is single largest party

Sources: [WION — TVK mass resignation threat](#) , [Deccan Herald — coalition scenarios](#) , [Zee News — Constitutional analysis](#)

← **NEWER ARTICLE**

Joint Commanders' Conference 2026: India Frames New Doctrine...

OLDER ARTICLE →

AMOC Collapse Risk: 59% Weakening by 2100 Could Devastate...

RELATED EDITORIALS

THE HINDU

[We Need a Rights-Based Abortion Law: SC's Call to Reform the MTP Act for Rape Survivors](#)

8 May

THE HINDU

[Building Hazards: India's Recurring Fire Tragedies Are a Governance Failure](#)

8 May

INDIAN EXPRESS

[SC's Acid Attack Ruling — Expanding the RPwD Definition, Retrospective Rights, and Justice Gaps](#)

7 May

INDIAN EXPRESS

[For Four New State Governments, Same Old Problem — Mounting Debt and Fiscal Strain](#)

7 May

RELATED KEY TERMS

KEY TERM

[42nd Amendment Freeze on Delimitation](#)

The constitutional freeze that locked Lok Sabha seat allocation to the...

KEY TERM

[Advance Directive \(Living Will\)](#)

A legal document in which a competent adult specifies their medical...

KEY TERM

[AFSPA \(Armed Forces Special Powers Act\)](#)

A central legislation granting special powers to armed forces...

KEY TERM

[Anti-Conversion Laws](#)

State laws prohibiting religious conversions achieved through...



CURATED & WRITTEN BY

Bharat Choudhary

UPSC Educator & Content Creator

[linkedin.com/in/epicbharat](https://www.linkedin.com/in/epicbharat)[Read Full Article on Ujiyari →](#)<https://ujiyari.com/daily/2026/05/08/tamil-nadu-governor-vijay-tvk-constitutional-crisis/>

ALSO FROM THE CREATOR

BharatNotes

Free UPSC study platform — subject-wise notes across all 4 GS papers, Prelims MCQs, Mains answer frameworks, PYQ analysis & progress tracking. **100% Free • No Login Required.**

[Start Preparing → bharatnotes.com](https://bharatnotes.com)

📌 OPPORTUNITY

Advertise with Ujiyari

Reach **thousands of serious UPSC & State PCS aspirants** daily through our PDFs, website, and social channels.

Ideal for: Coaching institutes • EdTech platforms • Book publishers • Exam prep apps

[✉ epicbharat@gmail.com](mailto:epicbharat@gmail.com)

Write to us for rates & media kit

Free UPSC & State PCS Current Affairs · ujiyari.com · bharatnotes.com