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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.09.2019**

CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE Mrs.JUSTICE R.THARANI

W.P. (MD) .Nos.19327 and 19329 of 2019

and

W.M.P. (MD) .Nos.15745 and 15748 of 2019

T.Sathiaraj ... Petitioner in both W.Ps

Vs.

1.The Registrar of Co-operative Societies
170, Periyar EVR High Ways,
Chennai-600 010.

2.The Commissioner
Tamil Nadu State Co-operative Societies,
Election Commission, Chennai-18.

3.The District Collector,
Kanyakumari District,
Nagercoil.

4.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

...Respondents 1 to 4 in both WPs

5.The Deputy Registrar of Co-operative Societies,
/ District Election Officer,
Thuckalay Region, Thuckalay,
Kanyakumari District.

...5th Respondent in
WP No.19327 of 2019

6.The Deputy Registrar of Co-operative Societies/
District Election Officer,
Nagercoil Region, Nagercoil,
Kanyakumari District.

...5th Respondent in WP No.19329 of 2019

7.The Managing Director,
Kanyakumari District Co-operative
Printing Press, Thuckalay
Kanyakumari District.

...6th Respondent
in W.P. (MD) .No.19327/2019



8.The Managing Director,
Kanyakumari District Co-operative Union
KDCC Bank Building, Nagercoil,
Kanyakumari District.

...6th Respondent
in W.P. (MD) .No.19329/2019

PRAYER in W.P. (MD) .No.19327 of 2019: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to take video-graph and provide adequate police protection to the Election of 6th respondent Kanyakumari District Co-operative Printing Press, Thuckalay commencing from the date of issuing Nomination Paper ie., on 09.09.2019 till the end of publishing the result of President and Vice President ie., on 21.09.2019 and conduct the election in democratic manner.

PRAYER in W.P. (MD) .No.19329 of 2019: This petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to take video-graph and provide adequate police protection to the Election of 6th respondent Kanyakumari District Co-operative Union, Nagercoil, commencing from the date of issuing Nomination Paper ie., on 09.09.2019 till the end of publishing the result of President and Vice President ie., on 21.09.2019 and conduct the election in democratic manner.

For Petitioner

in both W.Ps

For R1,R3 to 6

in both W.Ps

: Mr.S.Xavier Rajini

: Mr.K.Chellapandian, AAG

assisted for Mr.A.K.Baskara Pandian
Special Government Pleader

For R2 in both

W.Ps

:Mr.G.Rajendran

COMMON ORDER

(Order of this Court was made by **T.S.SIVAGNANAM, J**)

Heard Mr.S.Xavier Rajini, learned counsel appearing for the petitioner and Mr.K.Chellapandian, Learned Additional Advocate General, assisted for Mr.A.K.Baskara Pandian, learned Special Government Pleader appearing on behalf of the respondent Nos.1, 3 to 6 and Mr.G.Rajendran, learned Counsel appearing for the second respondent.

2.By consent of either side, this writ petition is taken up for disposal.

3.The petitioner has filed this writ petition for the following reliefs;

<https://hcservices.ecourts.gov.in/hcservices/>



(i)The petitioner seeks for two reliefs one is to videograph the entire election process to be conducted by the fifth respondent commencing from the date of issuing Nomination Paper on 09.09.2019.

(ii)The second direction sought for is to provide adequate police protection to the Election Officer.

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3.The learned Additional Advocate General, assisted by Mr.A.K.Baskara Pandian, learned Special Government Pleader on instructions submitted that adequate police protection will be provided for the entire election process commencing from the filing of the Nomination Paper till the declaration of the results. It is the submission of the learned Additional Advocate General that since the petitioner seeks for videographing of the entire election process, the fifth respondent viz., The District Election Officer will arrange for the video-graph of the entire election process subject to the cost being paid by the petitioner.

4.Considering these facts, we direct the fourth respondent/ the Superintendent of Police, Kanyakumari District, Nagercoil, to provide adequate police protection for the conduct of the election to the sixth respondent Society to be conducted by the fifth respondent/ Election Officer commencing with the filing of the Nomination Papers on 09.09.2019 till the publication of the results on 21.09.2019. We also direct the fifth respondent to arrange videography of the entire election process ie., on 09.09.2019 to 21.09.2019 and the cost shall be borne by the petitioner. The petitioner is directed to deposit with the Election Officer a sum of Rs.10,000/- (Rupees Ten Thousand only) to defray the video-graphing expenses and this shall be an advance payment and any further amount required to be paid shall be intimated to the petitioner who shall deposit the same with the Election Officer to enable the Election Officer to settle the bills of the videographer.

5.With the above direction, these writ petitions stand disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Registrar of Co-operative Societies
170, Periyar EVR High Ways,
Chennai-600 010.



- 2.The Commissioner
Tamil Nadu State Co-operative Societies,
Election Commission, Chennai-18.
- 3.The District Collector,
Kanyakumari District,
Nagercoil.
- 4.The Superintendent of Police,
Kanyakumari District, Nagercoil.
- 5.The Deputy Registrar of Co-operative Societies,
/ District Election Officer,
Thuckalay Region, Thuckalay,
Kanyakumari District.
- 6.The Managing Director,
Kanyakumari District Co-operative
Printing Press, Thuckalay
Kanyakumari District.
- 7.The Managing Director,
Kanyakumari District Co-operative Union
KDCC Bank Building, Nagercoil,
Kanyakumari District.

+1 CC to M/s.G.RAJENDRAN, Advocate (SR-85412[F] dated 05/09/2019)

+1 CC to M/s.S. XAVIER RAJINI, Advocate (SR-85446[F],85447 dated
05/09/2019)

W.P. (MD) .Nos.19327 and 19329 of 2019
and
W.M.P. (MD) .Nos.15745 and 15748 of 2019
05.09.2019

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