

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 752 of 2020

S. Balamurugan

... Petitioner

-vs-

1. The Tamil Nadu State Election Commission,
Rep. by its Secretary,
No. 208/2, Jawaharlal Nehru Road,
Opp. to CMBT, Arumbakkam,
Chennai - 600 106.
 2. The District Election Officer,
Cuddalore District.
 3. The Returning Officer,
For the election to the post of Chairman
and Vice-Chairman of Panruti Panchayat Union Council,
Cuddalore District.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to conduct the election for the posts of Chairman and Vice-Chairman of Panruti Panchayat Union Council in a free and fair manner, as requested by the Petitioner in his representation dated 07.01.2020 as follows:-

(a) There shall be CCTC coverage to monitor and record the entire process of election to the posts of Chairman and Vice-chairman of Panruti Panchayat Union Council till the counting is over, followed by declaration;

(b) except the Returning Officer, Candidates and Police personnel, nobody shall be allowed to come inside of the polling and counting place;

(c) the Ward Members, who are coming to cast their vote shall not be allowed to take any unwanted things like ink, ink-bottle and any other prohibited item and the Returning Officer shall adopt uniform method to cast the votes by the Ward Members;

(d) the District Election Officer and the Returning Officer shall draw and provide adequate police force in and out of the polling and counting place, to prevent any Law and Order problem.

(e) the seal of the ballot box shall be unsealed; the votes shall be segregated properly; the votes shall be counted and the result shall be declared in the presence of the concerned candidates;

(f) to prevent illegal handling of ballot papers by any one, there shall be a barricade in between the secured counting place and the place reserved for candidates; as there may be possibilities of tampering or damaging the ballot papers;

(g) the Returning Officer shall not delay in declaring the result, once the counting is over;

(h) in total, the election to the post Panruti Panchayat Union Council shall be conducted in a free and fair manner, by the Returning Officer in strict compliance of Tamil Nadu (Panchayat) Election Rules, 1995, without any deviation, without giving any room for suspicious or illegal activities at the instance of any candidate or Ward Members or misuse of power.

For Petitioner : Mr. R. Neelakandan

For Respondents: Mr. B. Nedunchezhiyan,
Standing Counsel (for R1)

Mr. V. Jayaprakash Narayanan,
Government Pleader (for R2 and R3)

ORDER

Heard Mr. R. Neelakandan, Learned Counsel for the Petitioner, Mr. B. Nedunchezhiyan, Learned Standing Counsel, who takes notice for the First Respondent, and Mr. V. Jayaprakash Narayanan, Learned Government Pleader, who takes notice for the Second and Third Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. Learned Standing Counsel appearing for the First Respondent, on instructions, states that the police protection would be given for the entire premises where election would be conducted and the same would be video-graphed. Recording the aforesaid submissions made, the Writ Petition is disposed. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

vjt

To

1. The Secretary,
Tamil Nadu State Election Commission,
No. 208/2, Jawaharlal Nehru Road,
Opp. to CMBT, Arumbakkam,
Chennai - 600 106.
2. The District Election Officer,
Cuddalore District.
3. The Returning Officer,
For the election to the post of Chairman
and Vice-Chairman of Panruti Panchayat Union Council,
Cuddalore District.

+lcc to Mr.B. Nedunchezhiyan, Advocate SR.No.3349

W.P. No. 752 of 2020

VSN II (CO)
GMY (24/01/2020)

WEB COPY



सत्यमेव जयते

WEB COPY