

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2020

CORAM

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

W.P. No. 663 of 2020

R. Girirajan

... 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 Tamil Nadu State Election Commissioner,
No. 208/2, Jawaharlal Nehru Road,
Opp. to CMBT, Arumbakkam,
Chennai - 600 106.

... Respondents

Prayer: 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 both District Panchayat Councils and Panchayat Union Councils in the State of Tamil Nadu, in a free and fair manner, as requested by the Petitioner in his representation dated 09.01.2020 as follows:-

(a) There shall be Video-graph (with audio recording) coverage to monitor and record the entire process of election to the posts of Chairman and Vice-chairman of both District Panchayat Council and Panchayat Union Council till the counting is over, followed by declaration and the said videograph recordings shall be preserved without any tampering or damage;

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

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

(d) the respective District Election Officers and the respective Returning Officers 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 only;

(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 posts of Chairman and Vice-Chairman of both District Panchayat Council and Panchayat Union Council shall be conducted in a free and fair manner, by the respective Returning Officers in the above said manner and in strict compliance of Tamil Nadu (Panchayat) Election Rules, 1995, without any deviation, without giving room for any suspicious or illegal activities at the instance of any candidate or Ward Members or misuse of power;

(i) and ensure Law and Order by providing 3 tier security in all polling and counting places for the election to the posts of Chairman and Vice-Chairman of both District Panchayat Council and Panchayat Union Council, scheduled on 11.01.2020.

For Petitioner : Mr. R. Neelakandan

For Respondents: Mr. B. Nedunchezhiyan, Standing Counsel

O R D E R

Heard Mr. R. Neelakandan, Learned Counsel for the Petitioner, Mr. B. Nedunchezhiyan, Learned Standing Counsel, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. Learned Standing Counsel appearing for the Respondents, on instructions, on instructions, states that the police protection would be given in the entire premises where the election is to be conducted as per rules and that the entire election would be video-graphed.

3. Recording the aforesaid submissions made, the Writ Petition is disposed. No costs.

Sd/-
Assistant Registrar (CS-III)

// True Copy//

Sub Assistant Registrar

vjt/dm

To

1. The Secretary,
Tamil Nadu State Election Commission,
No. 208/2, Jawaharlal Nehru Road,
Opp. to CMBT, Arumbakkam,
Chennai - 600 106.
2. The Tamil Nadu State Election Commissioner,
No. 208/2, Jawaharlal Nehru Road,
Opp. to CMBT, Arumbakkam,
Chennai - 600 106.

RV (CO)
CSR: 24/01/2020

W.P. No. 663 of 2020

सत्यमेव जयते
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