

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2020

CORAM

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

W.P. No. 2051 of 2020

and

W.M.P. Nos. 2393, 2397 and 2399 of 2020

D.Chandran

... Petitioner

-vs-

1.The State Election Commission,
Represented by its Secretary,
No.208/2, Jawharlal Nehru Road,
Arumbakkam, Chennai.

2.The Director General of Police,
State of Tamil Nadu,
Chennai - 600 004.

3.K.Poongodi

4.The Returning Officer/Spl. Dy. Collector,
(Social Security Scheme),
Tiruthani Panchayat Union,
Tiruvallur District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to conduct Chairperson and Vice Chairperson elections as per its Press Release No.8/2020, dated 22.01.2020 to the Thiruttani Panchayat Union, Thiruttani, Thiruvallur District under the Chapter VII of Tamil Nadu Panchayat Election Rules, 1995 freely and fairly with the participation of the 3rd respondent and other members without allowing any illegal act as well as violation of Article 19(1) of Constitution of India.

For Petitioner : Mr. N.R. Elango
Senior Counsel
for Mr. V. Arun

For Respondent - 1 : Mr. AR.L.Sundaresan
Senior Counsel assisted by
Mr. B.Nedunchezian
Standing Counsel

For Respondents 2 & 4 : Mr. V.Jayaprakash Narayan
Government Pleader

For Respondent - 3 : Mr. K.Dhananjeyan

O R D E R

Heard Mr. N.R. Elango, Learned Senior Counsel for Mr. V.Arun, Learned Counsel for the Petitioner, Mr. AR.L.Sundaresan, Learned Senior Counsel, assisted by Mr. B.Nedunchezian, Learned Standing Counsel for the First Respondent, Mr. V.Jayaprakash Narayan, Learned Government Pleader for the Second and Fourth Respondents and Mr. K.Dhananjeyan, Learned Counsel for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed to direct the First Respondent to conduct elections as per Press Release No.8/2020, dated 22.01.2020 to the Thiruttani Panchayat Union in which the Third Respondent is a candidate.

3. It is brought to the notice of this Court that election has been completed on 31.01.2020 (today). Learned Senior Counsel for the Petitioner contends that the Third Respondent was not allowed to act in a free manner, and the said contention is disputed by the Learned Counsel for the Respondents. In this regard, it must also be stated here that during earlier hearing on 29.01.2020, this Court required the Third Respondent to appear in person before this Court, but she did not. However, in view of the subsequent events, nothing remains for further consideration in this Writ Petition. It is made clear that no view has been expressed by this Court on the correctness or entitlement on the merits of the claim made by the Petitioner. It is open to the parties to work out their remedies before the proper forum for necessary relief in the manner recognized by law.

4. Accordingly, the Writ Petition is disposed with the aforesaid observations. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

bkn/sj

To

- 1.The Secretary,
State Election Commission,
No.208/2, Jawharlal Nehru Road,
Arumbakkam, Chennai.
- 2.The Director General of Police,
State of Tamil Nadu,
Chennai - 600 004.
- 3.The Returning Officer/Spl. Dy. Collector,
(Social Security Scheme),
Tiruthani Panchayat Union,
Tiruvallur District.

W.P. No. 2051 of 2020

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KKV/11/06/2020



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