

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2020

CORAM

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

W.P. No. 2624 of 2020

and

W.M.P. No. 3050 of 2020

Mathu

... Petitioner

-vs-

1. The State Election Commissioner,
Koyembedu, Chennai - 600 107.
 2. The District Collector, Dharmapuri.
 3. The Election Officer/ President of the Gram Panchayat,
O/o Block Development Officer (Village Panchayats) - Eriyur,
Eriyur Panchayat Union,
Pennagaram Taluk,
Dharmapuri District.
- ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First and Second Respondents to shift the venue of indirect election to the post of Vice President, Ajjanahalli Gram Panchayat, falling within Eriyur Panchayat Union, Pennagaram Taluk, Dharmapuri District, from that of Panchayat Union Office at Chinnavathalaapuram, to that of Office of the Collector or at the Office of the Tahsildar, Pennagaram, or at the Office of the Block Development Officer, Pennagaram or at any other secured place with sufficient police security throughout the process, in pursuant to the representation dated 14.01.2020.

For Petitioner : Mr. R. Selvakumar

For Respondents: Mr. AR.L. Sundaresan,
Senior Counsel assisted by
Mr. B. Nedunchezhiyan,
Learned Standing Counsel (for R1)
Mr. V. Jayaprakash Narayanan,
Government Pleader
(for R2 and R3)

O R D E R

Heard Mr. R. Selvakumar, Learned Counsel for the Petitioner, Mr. AR.L. Sundaresan, Learned Senior Counsel assisted by 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 Senior Counsel appearing for the First Respondent, on instructions, states that it would not be possible to shift the venue of election on account of complaint of law and order problem as sought by the Petitioner and instead, sufficient 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 as per Circular No. N.K. 7361/2019 dated 08.01.2020. It is further submitted that election did not take place as per schedule on 30.01.2020 and when it is re-scheduled, it would be conducted on the aforesaid terms.

3. Recording the aforesaid submissions made, the Writ Petition is disposed. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The State Election Commissioner,
Koyembedu, Chennai - 600 107.
2. The District Collector, Dharmapuri.
3. The Election Officer/ President of the Gram Panchayat,
O/o Block Development Officer (Village Panchayats) - Eriyur,
Eriyur Panchayat Union,
Pennagaram Taluk,
Dharmapuri District.

+1cc to Mr.R.Selvakumar, Advocate, S.R.No. 9291
+1cc to the Government Pleader, S.R.No. 10055

W.P. No. 2624 of 2020

RV (CO)
GN (21/02/2020)