



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2020

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THE HONOURABLE MR.JUSTICE M.DURAISWAMY

AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P(MD)No.881 of 2020

and

W.M.P(MD)Nos.666 and 667 of 2020

M.Ponnuthurai

... Petitioner

Vs.

1.The State Election Commissioner,
208/2, Jawaharlal Nehru Salai,
Arumbakkam, Chennai-106.

2.The District Collector and
The District Election Officer,
Thoothukudi District.

3.The Returning Officer,
Kovilpatti Panchayat Union election,
Kovilpatti, Thoothukudi District.

4.The Assistant Returning Officer/
Block Development Officer,
Kovilpatti Panchayat Union Election,
Kovilpatti, Thoothukudi District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the fourth respondent in proceeding A3/3593, dated 11.01.2020 and quash the same and consequently directing the respondents 1 and 2 to conduct the election for the post of Chairman and Vice Chairman in the Kovilpatti Panchayat Union and also to appoint an Advocate Commissioner/Election Observer for the conduct of the said Election.

For Petitioner

: Mr.Veera Kathiravan
for M/s.Veera Associates

For Respondents

: Mr.Raja Karthikeyan
for R.1

Mr.K.Chellapandian
Additional Advocate General
assisted by

Mr.VR.Shanmuganathan
Special Government Pleader for R.2 to R.4

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ORDER

[Order of the Court was made by **M.DURAISWAMY, J.**]

The petitioner has filed the above writ petition to issue writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the fourth respondent in proceeding A3/3593, dated 11.01.2020 and quash the same and consequently directing the respondents 1 and 2 to conduct the election for the post of Chairman and Vice Chairman in the Kovilpatti Panchayat Union and also to appoint an Advocate Commissioner/Election Observer for the conduct of the said Election.

2. Heard Mr.Veera Kathiravan, learned Senior Counsel for the petitioner, Mr.Raja Karthikeyan, learned Counsel for the first respondent/State Election Commissioner and Mr.K.Chellapandian, learned Additional Advocate General assisted by Mr.VR.Shanmuganathan, learned Special Government Pleader appearing for the State.

3. When the writ petition is taken up for hearing, Mr.Raja Karthikeyan, learned Counsel appearing for the first respondent/State Election Commissioner submitted that the first respondent shall instruct the District Collector, Thoothukudi District to videograph the entire election process for the posts of Chairman and Vice Chairman of Kovilpatti Panchayat Union, Thoothukudi District, scheduled to be held on 30.01.2020.

4. Since the first respondent/State Election Commissioner stated that they will instruct the District Collector, Thoothukudi District to videograph the entire election process for the posts of Chairman and Vice Chairman of Kovilpatti Panchayat Union, Thoothukudi District, scheduled to be held on 30.01.2020, we do not find that any further direction need be issued to the first respondent with regard to videographing of the election process on 30.01.2020.

5. So far as the appointment of Advocate Commissioner is concerned, we do not find any reason to appoint an Advocate Commissioner to supervise the election process on 30.01.2020. The authorities shall ensure free and fair election 30.01.2020 in the said Panchayat Union.

6. With these observations, the writ petition is disposed of. No costs. Consequently, the connected writ miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



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To

1.The State Election Commissioner,
208/2, Jawaharlal Nehru Salai,
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2.The District Collector and
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4.The Assistant Returning Officer/
Block Development Officer,
Kovilpatti Panchayat Union Election,
Kovilpatti, Thoothukudi District.

+1 CC to M/s.RAJA.KARTHIKEYAN, Advocate (SR-3610[F] dated
29/01/2020)

+1 CC to M/s.SPL.GP (SR-3645[F] dated 29/01/2020)

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-3542[F] dated
29/01/2020)

W.P (MD) No.881 of 2020

and

W.M.P (MD) Nos.666 and 667 of 2020

28.01.2020

KK/SAR/29.01.2020/3P-8C/