



WEB COPY

W.P (MD) No.888 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2020

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THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P (MD) No.888 of 2020

and

W.M.P (MD) Nos.670 and 673 of 2020

S.Subbiah

... Petitioner

Vs.

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

2.The District Collector/
District Electoral Officer cum
Sivagangai District,
Sivagangai.

3.The Superintendent of Police,
Sivagangai District,
Sivagangai.

4.The Returning Officer,
Elections to Panchayat Union Ward Members,
Thiruppuvanam Union,
Thiruppuvanam,
Sivagangai District.

5.J.Jeyakanthan, I.A.S.,
District Collector/District Electoral Officer,
Sivagangai District,
Sivagangai.

6.Rohith Nathan Rajagopal, I.P.S.,
Superintendent of Police,
Sivagangai District, Sivagangai.

... 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 issued by the second respondent in his proceedings in Roc.PE1/6400/2019, dated 11.01.2020 and quash the same and consequently directing the first respondent to notify the election to the post of Chairman and Vice-Chairman of the Thiruppuvanam Panchayat Union forthwith and also to appoint independent District Election Officer and District Police Officer to conduct the election with adequate police protection in the presence of the Advocate Commissioner as the Election Observer for the conduct of election and to declare results.

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

For Respondents : Mr.Raja Karthikeyan
for R.1

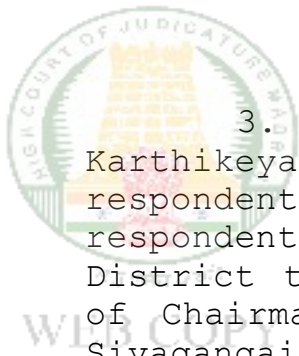
Mr.K.Chellapandian
Additional Advocate General
assisted by
Mr.VR.Shanmuganathan
Special Government Pleader for R.2 to R.4

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 issued by the second respondent in his proceedings in Roc.PE1/6400/2019, dated 11.01.2020 and quash the same and consequently directing the first respondent to notify the election to the post of Chairman and Vice-Chairman of the Thiruppuvanam Panchayat Union forthwith and also to appoint independent District Election Officer and District Police Officer to conduct the election with adequate police protection in the presence of the Advocate Commissioner as the Election Observer for the conduct of election and to declare results.

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, Sivagangai District to videograph the entire election process for the posts of Chairman and Vice Chairman of Thirupuvanam Panchayat Union, Sivagangai 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, Sivagangai District to videograph the entire election process for the posts of Chairman and Vice Chairman of Thirupuvanam Panchayat Union, Sivagangai 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

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

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To

- 1.The State Election Commissioner,
208/2, Jawaharlal Nehru Salai,
Arumbakkam, Chennai-106.
- 2.The District Collector/
District Electoral Officer cum
Sivagangai District, Sivagangai.
- 3.The Superintendent of Police,
Sivagangai District, Sivagangai.



4.The Returning Officer,
Elections to Panchayat Union Ward Members,
Thiruppuvanam Union,
Thiruppuvanam,
Sivagangai District.

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-3541[F] dated
29/01/2020)

+1CC TO MR.RAJA KARTHIKEYAN, Advocate Sr. No. 3604
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 3644

W.P (MD) No.888 of 2020

and

W.M.P (MD) Nos.670 and 673 of 2020

28.01.2020

ns (CO)
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