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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAISWAMY
and
THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P.(MD) No.1131 of 2020

Singaraj ... Petitioner

-vs-

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

2.The District Collector and
The District Election Officer
Virudhunagar
Virudhunagar District

3.The Returning Officer /
District Supply Officer
Union Ward Member Election
Rajapalayam Panchayat Union Council
Virudhunagar District

4.Kanthakrishnakumar ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus to direct the respondents 1 to 3 to conduct the election for the post of Chairman, Rajapalayam Panchayat Union Council, within District Collectorate Complex, Virudhunagar District, under the monitoring of retired Judge or Advocate or any other Central Government Higher Officials shall be appointed as observer to monitor the election proceedings with the able assistance of senior police officers in the cadre of I.P.S. of the other sub division of the district much preferably with a direction to live telecast the election process.

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

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For Respondents : Mr.AR.L.Sundaresan, Senior Counsel
assisted by Mr.Raja Karthikeyan
Standing Counsel for R1
Mr.K.Chellapandian
Additional Advocate General
assisted by Mr.V.R.Shanmuganathan
Special Government Pleader for R2 & R3
Mr.Ajmal Khan, Senior Counsel
assisted by Mr.E.Marees Kumar for R4

O R D E R

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

The petitioner has filed the above writ petition to issue a writ of mandamus directing the respondents 1 to 3 to conduct election for the post of Chairman, Rajapalayam Panchayat Union Council, within the District Collectorate Complex, Virudhunagar District, under the monitoring of a Retired Judge or Advocate or any other Central Government Higher Officials shall be appointed as Observer to monitor the election proceedings with the able assistance of the senior Police Officers in the cadre of I.P.S. of the other Sub-Division of the District much preferably with a direction to live telecast the election process.

2. When the writ petition was taken up for hearing, Mr.AR.L.Sundaresan, learned Senior Counsel, assisted by Mr.Raja Karthikeyan, learned Standing Counsel, who takes notice for the first respondent and Mr.K.Chellapandian, learned Additional Advocate General, assisted by Mr.V.R.Shanmuganathan, learned Special Government Pleader, who takes notice for the respondents 2 and 3, submitted that the State Election Commission has already issued a notification, dated 21.01.2020, to conduct elections, on 30.01.2020, for the posts of Chairman and Vice-Chairman of the Village Panchayat Unions, for which the elections were postponed earlier, and also produced a copy of the same.

3. Mr.Ajmal Khan, learned Senior Counsel, assisted by Mr.E.Marees Kumar, learned counsel, who takes notice for the fourth respondent, submitted that the first respondent had already issued a notification to conduct elections on 30.01.2020 and therefore, the relief sought for in the writ petition has become infructuous.

4. In view of the issuance of notification, dated 21.01.2020, by the first respondent to conduct elections on 30.01.2020, for the posts of Chairman and Vice-Chairman of the Village Panchayat Unions, for which the elections were postponed earlier, we do not find any reason to issue directions to the Authorities concerned to conduct elections. It is needless to state

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that the respondents 1 to 3 should ensure a fair election on 30.01.2020.

5. With these observations, the writ petition is disposed of. No costs.

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Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:

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+1 CC to M/s.E.MAREES KUMAR, Advocate (SR-2557[F] dated 23/01/2020)

+1 CC to M/s.Special Govt.Pleader (SR-2587[F] dated 23/01/2020)

+1 CC to M/s.RAJA.KARTHIKEYAN, Advocate (SR-2997[F] dated 24/01/2020)

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22.01.2020

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