

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P. (MD) No.5351 of 2021

Abdulla

.. Petitioner

Vs.

1. The Chief Election Commissioner of India,  
Nirvachan Sadan, Ashoka Road,  
New Delhi - 110 001.

2. The Chief Electoral Officer,  
Public (Election) Department,  
Secretariat,  
Fort St.George,  
Chennai - 600 009.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to comply with the election code of conduct rules 2021 on the basis of the petitioner's representation dated 15.01.2021 within a stipulated time as fixed by this Honourable Court.

For Petitioner            ::    Mr.Anindita Prahalad Ravi  
                                         for Mr.Joel Paul Antony.A

For Respondents        ::    Mr.Niranjana Rajagopalan

ORDER

(made by Senthilkumar Ramamoorthy, J.)

The petitioner complains of the failure on the part of the Election Commission to transfer five officers, who are allegedly serving in the same place for more than three years or are serving in their home districts.

2. Learned Standing Counsel for the Election Commission accepts notice on behalf of the respondents and states that none of the five officers who are referred to in paragraph 4 of the affidavit filed in support of the writ petition have been assigned any election duties. Without prejudice, he states that the representation dated 15.01.2021 would be considered and disposed of within a specified time-frame.

3. Accordingly, without considering the merits or the tenability of the representation dated 15.01.2021, the second respondent is directed to consider such representation and dispose of the same by a speaking order within a period of one week from the date of receipt of a copy of this order. W.P.(MD) No.5321 of 2021 is disposed of on the above terms. There will be no order as to costs.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To:

1. The Chief Election Commissioner of India,  
Nirvachan Sadan, Ashoka Road,  
New Delhi - 110 001.
2. The Chief Electoral Officer,  
Public (Election) Department,  
Secretariat,  
Fort St.George,  
Chennai - 600 009.

W.P(MD) .No.5351 of 2021

SKY(CO)  
CSR 25.03.2021