

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.7446 of 2021

Desiya Makkal Sakthi Katchi
Rep by its President M.L.RAVI
No 21/11, Perianna Street
Chennai- 1

... Petitioner

Vs

1 The Chief Election Commissioner
Election Commission of India
Nirvachan Sadan
Ashoka Road New Delhi- 110001

2 The Chief Electoral Officer
Public Elections Department,
Secretariat,
Fort.St.George, Chennai- 9

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd Respondent to consider the representation to grant permission for Common Campaign Vehicle to the Star Campaigners of the party to Campaign/Propagate for its Party Candidates Contesting in the Tamil Nadu Legislative Assembly Elections 2021 similar to other recognized party issued.

For Petitioner : Mr.T.Sivagnanasambandan

For Respondents : Mr.Niranjan Rajagopalan

ORDER
(made by the Hon'ble Chief Justice)

The grievance of the petitioner, which claims to be a political organization, is that despite the Election Commission providing for star campaigners for unrecognized registered political parties, the Election Commission has not responded to a representation made on March 10, 2021.

2. It is submitted on behalf of the Election Commission that the representation of March 10, 2021 has been dealt with in a reply issued by the Election Commission on March 15, 2021. It is

possible that the reply may have not reached the petitioner as yet. In addition, it is submitted on behalf of the Election Commission that the same facilities pertaining to campaign vehicles cannot be provided to unrecognized political parties because of the logistic issues. It is also submitted that in any event, campaigning has been permitted on a reduced key in the light of the pandemic and, particularly since the number of cases has been on the rise in the last couple of weeks.

3. In view of the Election Commission's assertion that the representation of March 10, 2021 made by the petitioner has been dealt with on March 15, 2021, no order is passed on this petition and it will be open to the petitioner to take appropriate steps in respect of the response issued. It may also do well to remind the petitioner that since the elections are round the corner, it may be too late in the day to make any further prayers or representations or seek any orders in such regard at present.

4. W.P.No.7446 of 2021 is disposed of without any order as to costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To:

1 The Chief Election Commissioner
Election Commission of India
Nirvachan Sadan
Ashoka Road, New Delhi- 110001

2 The Chief Electoral Officer,
Public Elections Department,
Secretariat,
Fort.St.George, Chennai- 9.

+1cc to Mr.T.Sivagnanasambandam, Advocate, S.R.No.18540.

+2cc to Mr.G.R. Associates, Advocate, S.R.Nos.18558 & 18559.

W.P.No.7446 of 2021

PL(CO)
CSR 31.0.2021