

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.8085 of 2021 and
W.M.P.No.8630 of 2021

R.S.Bharathi

.. Petitioner

Vs.

1. Election Commission of India,
rep. by the Senior Principal Secretary,
Nirvachan Sadan, Ashoka Road,
New Delhi - 110 001.
2. Chief Electoral Officer &
Secretary to Government,
State of Tamil Nadu,
Public (Elections) Department,
1st Floor, Main Building,
Secretariat, Fort St. George,
Chennai - 600 009.
3. District Election Officer & Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai - 600 003.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus forbearing the respondents from in any manner proceeding in violation of guidelines dated 02.02.2021 and the order of this Court in W.P.No.3199 of 2021 dated 16.3.2021 in respect of polling and collection of postal ballots, by considering the petitioner's representation dated 24.03.2021.

For Petitioner

: Mr.R.Shanmugasundaram
Senior Counsel
for M/s.S.Manuraj

For Respondents

: Mr.G.Rajagopalan
Senior Counsel
for M/s.Niranjana Rajagopalan

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The matter pertains to the list of absentee voters and relates to the orders that have been passed by this Court on March 16, 2021 and March 17, 2021 in W.P.No.3199 of 2021 and W.P.No.20027 of 2020 respectively.

2. The petitioner and the Election Commission agree that by and large the list of absentee voters at every constituency has been supplied to the candidates of the recognised political parties at the constituency level. However, the process of issuing ballot papers may have commenced before the list of absentee voters had been circulated in a few of the constituencies.

3. The petitioner says that the directions issued by this Court have been largely complied with, but a few of the returning officers may not have been posted with copies of the relevant orders. The Election Commission clarifies that it has issued instructions on March 25, 2021 for the lists of absentee voters to be circulated at the constituency level first before the process of issuing ballot papers is commenced at least 24 hours after the circulation. The exercise of circulation of the list of absentee voters on a constituency-wise basis should be completed by March 29, 2021.

In view of such submission, W.P.No.8085 of 2021 is disposed. There will be no order as to costs. Consequently, W.M.P.No.8630 of 2021 is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

bbr

To:

1. The Senior Principal Secretary,
Election Commission of India,
Nirvachan Sadan, Ashoka Road,
New Delhi - 110 001.

2. The Chief Electoral Officer &
Secretary to Government,
State of Tamil Nadu,
Public (Elections) Department,
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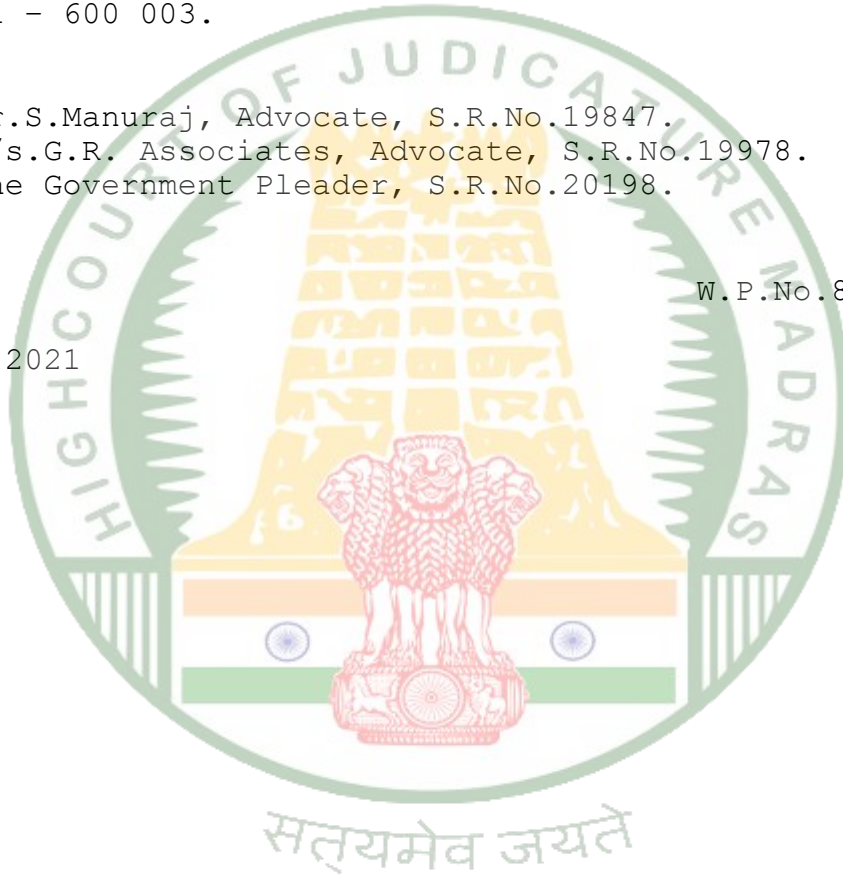
+1cc to Mr.S.Manuraj, Advocate, S.R.No.19847.

+1cc to M/s.G.R. Associates, Advocate, S.R.No.19978.

+1cc to the Government Pleader, S.R.No.20198.

W.P.No.8085 of 2021

GPL(CO)
CSR 09.04.2021



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