

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.10860 of 2021

S.Austin

...Petitioner

Vs.

1. Chief Election Commissioner
Election Commission of India
Nirvachan Sadan, Ashoka Road
New Delhi 100 001.

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 &
District Collector
Collectorate, Nagercoil
Kanniyakumari 629 001.

...Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents to consider the representations given by the petitioner dated 10.04.2021 and 16.04.2021 and comply with the Guidelines vide letter bearing No.52/2021/SDR/VOL.1 dated 02.02.2021 issued by respondent no.1 to respondent no.2 and the orders of this Court in W.P.No.7990 of 2021 dated 26.03.2021 and W.P.No.20027 of 2020 dated 17.03.2021 in respect of Postal Ballots by absentee voters.

For Petitioner

: Mr.R.Shanmugasundaram, SC
For Mr.S.Manuraj

For Respondents

: Mr.G.Rajagopalan, SC
Assisted by
Mr.Niranjan Rajagopalan

ORDER
(Made by the Hon'ble Chief Justice)

The petitioner says that representations have been made by the petitioner on April 10, 2021 and April 16, 2021 to the Election Commission and no response has been received in regard thereto.

2. The essence of the petition is for the Election Commission to abide by the guidelines contained in a letter bearing No.52/2021/SDR/Vol.1 dated February 2, 2021 and the directions contained in orders of this Court of March 17, 2021 and March 26, 2021 in W.P.No.20027 of 2020 and W.P.No.7990 of 2021, respectively.

3. For a start, there does not appear to be any basis to the petitioner's apprehension that the Election Commission will not abide by its own guidelines or any directions that may have been issued by the Court.

4. However, the Election Commission, which is represented, says that it will respond to the letters dated April 10, 2021 and April 16, 2021 issued by the petitioner by April 30, 2021.

5. In view of the said response on the part of the Election Commission, nothing remains of the petition.

W.P.No.10860 of 2021 is disposed of. There will be no order as to costs.

Sd/-
Assistant Registrar(CS III)
//True Copy//
Sub Assistant Registrar

sra

To

1. The Chief Election Commissioner
Election Commission of India
Nirvachan Sadan, Ashoka Road
New Delhi 100 001.
2. The Chief Electoral Officer &
Secretary to Government of Tamil Nadu
Public (Elections) Department
1st Floor, Main Building
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3. The District Election Officer &
District Collector
Collectorate, Nagercoil
Kanniyakumari 629 001.

+1cc to Government Pleader, SR.No.26027

+1cc to G.R.Associates, SR.No.26096

W.P.No.10860 of 2021

SVI (CO)
KKV/18/06/2021



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