



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

WP No.23102 of 2021
and WMP No.24345 of 2021

Naseembee

.. Petitioner

Vs.

1. The State Election Commissioner,
Tamilnadu State Election Commission,
208/2, Jawaharlal Nehru Salai,
(Opp. to Koyambedu Bus Terminus),
Arumbakkam, Chennai 600 106.
2. The District Collector,
Collector Office,
Kallakurichi District 606 202.
3. Block Development Officer (Election
Officer)/The Returning Officer,
SH-69, Ulumdurpet Taluk,
Ulundurpettai, Kallakurichi District 606 107.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to keep and safe the CCTV and videography footages until disposal of the Election Original Petition will be filed before Prl. Dist. Court, Villupuram and take necessary action on the petitioner representation dated 15.10.2021.



WEB COPY

For the Petitioner : Mr.K.Gangadaran

For the Respondents : Mr.Sivashanmugasundaram
Stdg. Counsel for R-1
: Mr.P.Muthukumar
State Government Pleader
for RR 2 and 3

ORDER

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

The prayer in the petition is for preservation of the video footage of the CCTV in respect of the local body elections conducted recently.

2. It is submitted by Mr.P.Muthukumar, learned State Government Pleader, that it is the practice that all the video footage pertaining to the election to the local bodies is preserved for a period of 45 days after the date of announcement of the results. The results have been announced on October 12, 2021.

3. Mr.Sivashanmugasundaram, learned standing counsel, takes notice on behalf of the first respondent and submits that all election officers have taken custody of the video footage and have been instructed by the State Election Commissioner to preserve the same for the 45-day period.

4. In view of such submission, WP No.23102 of 2021 is disposed of by directing the video footage to be preserved for a period of 60 days beginning October 13, 2021, subject to the order for further extension that may be passed by any appropriate authority. It will also be open to the relevant courts in receipt of a complaint pertaining to any malpractice in course of the election to any constituency, to immediately call for the video footage so that the same may be preserved notwithstanding the general rule for destroying the same after 45 days from the announcement of the results.



WEB COPY

WMP No.24345 of 2021 is closed. There will be no order as to costs.

Sd/-
Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar

sra

To:

1. The State Election Commissioner,
Tamilnadu State Election Commission,
208/2, Jawaharlal Nehru Salai,
(Opp. to Koyambedu Bus Terminus),
Arumbakkam, Chennai 600 106.
2. The District Collector,
Collector Office,
Kallakurichi District 606 202.
3. The Block Development Officer (Election
Officer)/The Returning Officer,
SH-69, Ulumdurpet Taluk,
Ulundurpettai, Kallakurichi District 606 107.

+1CC to Mr.K.Gangadaran, Advocate, SR.No. 56028

WP No.23102 of 2021

SRA(CO)
B.VC (08/11/2021)