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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

WP Nos.23854 and 24048 of 2021
and WMP Nos.25132, 25372 and 25373 of 2021

WP No.23854 of 2021 :-

S.Kannan

... Petitioner

Vs

1. Tamil Nadu State Election Commission
Represented by the State Election Commissioner
No.208/2, Jawaharlal Nehru road,
Opp CMBT Arumbakkam, Chennai 600 106.
2. The District Collector
Villupuram District,
Villupuram.
3. The Election Officer cum Block Development Officer,
Marakanam Panchayat Union,
Marakanam, Villupuram District.
4. The District Superintendent of Police
Villupuram District, Villupuram.
5. The Deputy Superintendent of Police,
Kottakuppam Police Sub Division,
Vannaur Taluk, Villupuram District. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 3rd Respondent herein to forthwith issue notification for the conduct of the meeting of the Marakanam Panchayat Union for electing the Chairman and Vice-Chairman to the said Marakanam Panchayat Union and direct the conduct of the said meeting with adequate police protection, sufficient number of CCTV cameras and Surveillance Cameras and videographing of the proceedings so as to ensure a free and fair election enabling all the Ward Councillors to be present at the time of election meeting and cast their vote.



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For the Petitioner : Mr.AR.L.Sundaresan,
Senior Counsel,
for Ms.AL.Ganthimathi

For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for respondents 1,2,4, and 5

Mr.S.Sivashanmugam,
Standing Counsel,
for third respondent

WP No.24048 of 2021 :-

1 S.Padmavathi
2 Kolanchi Ganapathi
3 A.Anjalai
4 P.Pounu ... Petitioners

Vs

1. The State of TamilNadu
Rep by its Secretary, Rural Development and
Panchayat Raj Department, Fort St.George,
Chennai-600 009.
2. The Tamil Nadu State Election Commission
Rep by its Commissioner
No.208/2 Jawaharlal Nehru Road,
Arumbakkam, Chennai-600106.
3. The District Collector/District Election Officer,
Kallakurichi, Kallakurichi District.
4. The Returning Officer/
Block Development Officer,
(B.P) Kallakurichi,
Kallakurichi District. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to forthwith conduct the Election for the post of Vice President of Ka.Mamanandal Village Panchayat Kallakurichi District with necessary Police protection and also with C.C.T.V.Coverage of the entire Election process.



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For the Petitioners : Mr.K.Selvaraj

For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for 1st respondent

: Mr.S.Sivashanmugam,
Standing Counsel,
for respondents 2 to 4

COMMON ORDER

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

Mr.Siva Shanmugam, learned counsel, appearing for the State Election Commission, informs the court that the elections to the posts of Chairperson and Vice-Chairperson of the Marakkanam Panchayat Union are scheduled to be held on November 22, 2021, both in the morning and in the evening. As regards WP No.24048 of 2021, the election to the post of Vice-President is scheduled to be held on November 24, 2021.

2. The State Election Commission and the State police authorities will ensure that all rightful persons entitled to enter the hall whereat the elections are to be conducted get free and easy access thereto. Complete video coverage of the process of the elections and the circumstances prevailing immediately outside the election hall should be arranged and the same preserved for at least a period of 60 days after the date of conduct of the relevant elections and subject to further orders that may be passed by the appropriate forum.

3. Following a specific query from the court as to the conduct of indirect elections in the reminder of the places, it is submitted on behalf of the State Election Commission that the entire process would be completed by November 29, 2021, upon ensuring free and unimpeded access to all persons entitled to vote and upon ensuring video coverage of the entire process in like manner as directed in the present case.

WP Nos.23854 and 24048 of 2021 are disposed of. WMP Nos.25132, 25372 and 25373 of 2021 are closed. There will be no order as to costs.

Sd/-
Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

sra



To:

1. The State Election Commissioner,
Tamil Nadu State Election Commission
No.208/2, Jawaharlal Nehru road,
Opp CMBT Arumbakkam, Chennai 600 106.
2. The District Collector
Villupuram District, Villupuram.
3. The Election Officer cum Block Development Officer,
Marakanam Panchayat Union,
Marakanam, Villupuram District.
4. The District Superintendent of Police
Villupuram District, Villupuram.
5. The Deputy Superintendent of Police,
Kottakuppam Police Sub Division,
Vannaur Taluk, Villupuram District.
6. The Secretary to Govt. of TamilNadu
Rural Development and Panchayat Raj Department,
Fort St.George, Chennai-600 009.
7. The District Collector/District Election Officer,
Kallakurichi, Kallakurichi District.
8. The Returning Officer/Block Development Officer,
(B.P) Kallakurichi, Kallakurichi District.

+1cc to Ms.AL.Ganthimathi, Advocate SR.No.58304

+1cc to Mr.K.Selvaraj, Advocate SR.No.58252

WP Nos.23854 and 24048 of 2021

SR(CO)
GMY(18/11/2021)