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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2021

CORAM :

THE HON'BLE MR.M.DURAI SWAMY, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.NO.24708 OF 2021

S.Buveneswari

.. Petitioner

vs

1. The Returning Officer-cum-
Block Development Officer,
Kandamangalam Panchayat Union,
Kandamangalam,
Villupuram District.

2. The District Collector,
District Election Officer,
Villupuram District.

3. The State Election Commissioner,
100 Feet Road, Vadapalani,
Chennai - 26.

4. M.Lakshmi

.. Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the first respondent to consider the representation dated 7.10.2021 to furnish the CCTV footage in respect of the election proceedings held on 6.10.2021 for the Pakkripalayam Village Panchayat (Kalingamalai Village).

For the Petitioner : Mr.M.Devaraj



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For the Respondents : Mrs.R.Anitha
Spl. Government Pleader
for respondent Nos.1 and 2

: Mr.S.Siva Shanmugham
for respondent No.3

ORDER

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

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the first respondent to consider the representation dated 07.10.2021 to furnish the CCTV footage in respect of the election proceedings held on 06.10.2021 for Pakkripalayam Village Panchayat (Kalingamalai Village).

2. The petitioner, who was unsuccessful in the local body election held on 06.10.2021, has filed the present writ petition seeking CCTV footage in respect of the election proceedings held for Pakkripalayam Village Panchayat.

3. Mr.M.Devaraj, learned counsel appearing for the petitioner, submitted that the petitioner has already filed an Election Petition under Section 258 of the Tamil Nadu Panchayats Act, 1994 and the same is yet to be numbered.

4. Since the petitioner has already filed the Election Petition before the Election Tribunal, she can seek the relief sought for in the present writ petition in the said Election Petition by filing an appropriate application to call for the CCTV footage from the second respondent, the District Collector/District Election Officer, Villupuram District. We are not inclined to issue mandamus to the official respondents to furnish the CCTV footage for the reason that the petitioner has got remedy in the pending Election Petition.

5. In view of the said reason, the writ petition is closed.
No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To:

1. The Returning Officer-cum-
Block Development Officer,
Kandamangalam Panchayat Union,
Kandamangalam,
Villupuram District.
2. The District Collector,
District Election Officer,
Villupuram District.
3. The State Election Commissioner,
100 Feet Road, Vadapalani,
Chennai - 26.

+1cc to Mr.M.Devaraj, Advocate, S.R.No.59836
+1cc to the Government Pleader, S.R.No.60002

W.P.No.24708 of 2021

KSM(CO)
PM/29/11/2021