



WEB COPY

W.P(MD)NO.13926 OF 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P (MD) NO.13926 OF 2021

and

W.M.P (MD) No.10878 of 2021

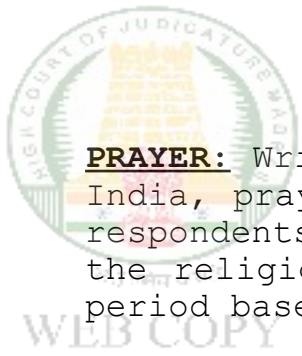
D.Devasahayam

:Petitioner

.vs.

- 1.The Union of India,
represented by its Secretary,
Ministry of Home Affairs,
North Block,
New Delhi-1.
- 2.The State of Tamil Nadu,
represented by its Secretary to Government,
Revenue and Disaster Management Department,
Fort St.George,
Secretariat,
Chennai-9.
- 3.The District Collector,
Madurai District,
Madurai - 20.
- 4.The Commissioner,
Madurai Corporation,
Arignar Anna Maligai,
Outpost, Tallakulam,
Madurai-2.
- 5.The Commissioner of Police,
Madurai City,
Madurai-2.
- 6.The Director of Collegiate Education,
College Road,
Chennai-6.
- 7.The Bishop,
CSI Madurai Ramnad Diocese,
162, East Veli Street,
AVH Building First Floor,
Madurai-1.

: Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 5 to enforce the lock down guidelines and to stop the religious election gathering of 7th respondent during lock down period based on the Petitioner's representation, dated 29.7.2021.

For Petitioner : Mr.T.A.Ebenezer

For Respondent-1 : Mr.V.S.karthick
Central Govt.Standing Counsel

For Respondents : Mr.P.Thilak Kumar
2,3, 5 and 6 Standing Counsel for the Govt.

For Respondent-4 : Mr.P.Athimoola Pandian
Standing Counsel

For Respondent-7 : Mr.Ajmal Khan Senior Counsel
for Mr.Mahaboob Athiff

O R D E R

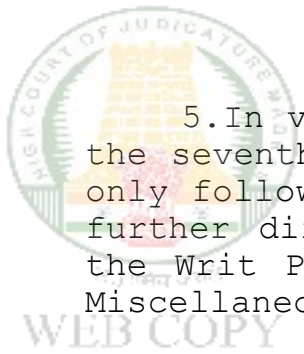
[Order of the Court was made by **M.DURAISWAMY., J.**]

The Petitioner has filed the above Writ Petition as a ''Public Interest Litigation'' to issue a Writ of Mandamus directing the respondents 1 to 5 to enforce the lock-down guidelines and to stop the religious election gathering of 7th respondent during lock down period based on the Petitioner's representation, dated 29.7.2021.

2.Mr.Ajmal Khan, learned Senior Counsel appearing for the seventh respondent submitted that the election is scheduled to be held on 21st and 22nd of August 2021 and there are about 379 voters, who shall cast their votes. However, the learned Senior Counsel submitted that on the election dates, the seventh respondent shall strictly follow the Covid-19 protocol, without violating any of the conditions imposed by the Central and State Governments.

3.Mr.P.Thilak Kumar, learned Standing Counsel for the Government appearing for the respondents 2,3, 5 and 6 submitted that the 5th respondent would depute his officers to ensure that the election is being conducted on 21st and 22nd of August 2021 strictly following the Covid-19 Protocol.

4.Mr.V.S.Karthick, learned Central Government Standing Counsel appearing for the first respondent submitted that the Central Government had already circulated guidelines for the Covid-19 protocol to the State Government.



5.In view of the submissions, the learned counsel appearing for the seventh respondent had stated that election would be conducted only following Covid-19 protocol, we do not find any reason to give further direction to the respondents. In such view of the matter, the Writ Petition stands closed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

Note :

1.In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

- 1.The Secretary,
Government of India,
Ministry of Home Affairs,
North Block,
New Delhi-1.
- 2.The Secretary to Government,
Government of Tamil Nadu,
Revenue and Disaster Management Department,
Fort St.George,
Secretariat,
Chennai-9.
- 3.The District Collector,
Madurai District,
Madurai - 20.
- 4.The Commissioner,
Madurai Corporation,
Arignar Anna Maligai,
Outpost, Tallakulam,
Madurai-2.



5.The Commissioner of Police,
Madurai City,
Madurai-2.

6.The Director of Collegiate Education,
College Road,
Chennai-6.

+1 CC to M/s.GP (SR-26641[F] dated 18/08/2021)

W . P (MD) NO.13926 OF 2021

and

W . M . P (MD) No.10878 of 2021

17.08.2021

RK (25.08.2021) 4P 8C