



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction**

**Monday, the Sixth day of December Two Thousand and Twenty One
PRESENT**

THE HON`BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HON`BLE MR.JUSTICE P.VELMURUGAN

WP(MD) . No.19972 of 2021

- 1.M.S.Kannadhasan
District Panchayat Union President
Ward No.4, Karur District.
- 2.S.Thiruvikka
District Panchayat Union Member
Ward No.9, Karur District.
- 3.M.Alamelu,
District Panchayat Union Member
Ward No.2, Karur District.
- 4.K.Sivanandham,
District Panchayat Union Member
Ward No.3, Karur District.
- 5.V.Nalla Muthu
District Panchayat Union Member
Ward No.10, Karur District.
- 6.Indira,
District Panchayat Union Member
Ward No.11, Karur District.
- 7.R.Ramesh,
District Panchayat Union Member
Ward No.12, Karur District.
- 8.P.Vasanth,
District Panchayat Union Member
Ward No.6, Karur District. ... Petitioners

Vs

- 1.The Chief Election Commissioner
State Election Commission,
No.208/2, Jawaharlal Nehru Road,
CMBT, Arumbakkam
Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The District Election Officer/
The District Collector,
Karur, Karur District.

3.The Returning Officer,
District Panchayat Ward Member Election,
Project Director, District Rural Development Agency,
Karur District. ... Respondents

Prayer :-

This petition filed under Article 226 of Constitution of India to issue a WRIT OF MANDAMUS to direct the respondents to video graph the entire election process of Karur District Panchayat Union for Vice Chairman and in the supervision any Hon'ble District Judge to be appointed by this Hon'ble Court so as to ensure free and fair election without any irregularities.

ORDER:- This petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.Mohammed Imran for Ajmal Associates for the Petitioner and of Thiru.B.Saravanan, Standing Counsel for R1, Mr.P.Thilakkumar, Government Advocate for the respondent No.2 and 3 this Court made the following order:

**(Order of the Court was made by
PUSHPA SATHYANARAYANA, J.)**

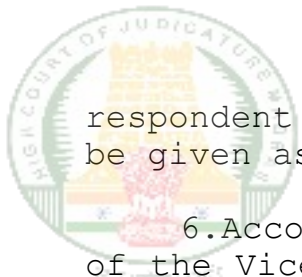
The matter was posted today (06.12.2021) for reporting compliance.

2.Mr.Mohammed Imran, learned counsel for the petitioner, would submit that election could not be conducted for want of quorum and the reasons are very many viz., few of them were prevented from attending the meeting and some did not turn up and therefore, the election was not conducted.

3.Mr.B.Saravanan, learned Standing Counsel for respondent No.1/ State Election Commission informs that Rule 91 of the Tamil Nadu Panchayats (Elections) Rules, 1995, clearly indicates that no election of Vice-Chairman shall be conducted at a meeting convened under this Rule and for the conduct of the same there could be three consecutive meetings for want of majority.

4.The learned counsel for the petitioner would submit that this proviso will not strictly apply to the case as it was not an ordinary situation, where a few of them could not present, but they were prevented from being present.

5.However, the learned Standing Counsel for the State Election Commission as well as the learned Government Pleader appearing for



respondent Nos.2 and 3 would submit that one more opportunity could be given as had been provided in the Rules.

6. Accordingly, one more opportunity is given for the election of the Vice Chairman, which can also be videographed once again. As already the Writ Petition has been posted for compliance, it is for the authorities to follow the Rules and elect the Vice-Chairman.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

1. The Chief Election Commissioner
State Election Commission,
No.208/2, Jawaharlal Nehru Road,
CMBT, Arumbakkam, Chennai.
2. The District Election Officer/
The District Collector,
Karur, Karur District.
3. The Returning Officer,
District Panchayat Ward Member Election,
Project Director,
District Rural Development Agency,
Karur District.

COPY TO:-

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.B.SARAVANAN, Advocate, SR.No.37538 DATED:07.12.2021
+1cc to M/s.SPL GP, Advocate, SR.No.37609 DATED:07.12.2021

ORDER DATED : 06/12/2021

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ORDER

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Giving direction and etc.
as stated within.

GC(29.12.2021) 3P 7C

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