



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.2.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,

CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.3072 of 2022

N.Sundharam

... Petitioner

vs

1. Tamil Nadu State Election Commissioner,
206/N, Jawaharlal Nehru Rd., Jai Nagar,
Arumbakkam, Chennai, Tamil Nadu 600 106.
2. The Secretary to Government,
Rural Development and Panchayat Raj
Department, Government of Tamil Nadu,
Fort St. George, Secretariat,
Chennai 600 009.
3. The District Election Officer,
Greater Chennai Corporation,
Chennai.
4. Tambaram Police Commissionerate,
Perumbakkam Main Road,
Elcott SEZ, Sholinganallur,
Chennai 600 119.
5. The Assistant Returning Officer,
Ward No.198, Zone-15,
Greater Chennai Corporation,
Chennai.

... Respondents

Prayer: Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to consider the representation dated



10.2.2022 issued by the petitioner and to consequently take measures to monitor through uninterrupted CCTV coverage and live streaming of the counting process and to safeguard the electoral process in the Ward-198 Sholinganallur XV Zone of Chennai Corporation through implementation of the order of this Court dated 03.1.2022 passed in W.P.No.27138 of 2021 in letter and spirit.

For Petitioner : Mr.Om Prakash
Senior Counsel
for Mr.A.Ilangovan

For Respondents : Mr.S.Sivashanmugam
Standing Counsel for R1

Mr.R.Shunmugasundaram
Advocate General
Assisted by
Mr.P.Muthukumar,
State Government Pleader
for R2 & R4

Mrs.Karthika Ashok
Standing Counsel for R3 and
R5

ORDER

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

The writ petition has been filed seeking a direction to the first respondent to consider the representation of the petitioner dated 10.2.2022 to take measures to monitor through uninterrupted CCTV coverage and live streaming of the election process and to safeguard the electoral process in the Ward-198 Sholinganallur XV Zone of Chennai Corporation through implementation of the order of this Court dated 03.01.2022 passed in W.P.No.27138 of 2021.

2. The writ petition has been filed without a copy of the circular in Letter Rc.No.2968/2019/EG-B1 dated 10.1.2022 issued by the Tamil Nadu State Election Commission on the subject matter. As a copy of the said circular has not been enclosed, it is an unnecessary petition and that too for no reason when the direction sought for by the petitioner has already been issued. Filing of unnecessary litigations is to be deprecated by



this Court, as, otherwise, it would take a toll on the pending litigations, which need to be given priority.

3. The circular issued by the Tamil Nadu State Election Commission dated 10.1.2022 has not been referred as also the order of this Court dated 03.1.2022 in W.P.No.27138 of 2021, where appropriate directions have already been given. In view of the same, the writ petition is dismissed with costs of Rs.5,000/- (Rupees five thousand only). The cost shall be paid to the Tamil Nadu State Legal Services Authority, Chennai within a month and a compliance report shall be filed. It is made clear that if the compliance is not made within the time stipulated, the writ petition shall be listed for taking appropriate action for non compliance. There will be no order as to costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

To:

1. The Tamil Nadu State Election Commissioner,
206/N, Jawaharlal Nehru Rd., Jai Nagar,
Arumbakkam, Chennai, Tamil Nadu 600 106.
2. The Secretary to Government,
Rural Development and Panchayat Raj
Department, Government of Tamil Nadu,
Fort St. George, Secretariat,
Chennai 600 009.
3. The District Election Officer,
Greater Chennai Corporation,
Chennai.
4. The Tambaram Police Commissionerate,
Perumbakkam Main Road,
Elcott SEZ, Sholinganallur,
Chennai 600 119.
5. The Assistant Returning Officer,
Ward No.198, Zone-15,
Greater Chennai Corporation,
Chennai.



6.The Tamil Nadu State Legal Services Authority,
Chennai.

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+1cc to Mr.A.Ilangovan, Advocate Sr.9821
+1cc to the Government pleader Sr.9843
+1cc to Mrs.Karthikaa Ashok, Advocate Sr.9451

W.P.No.3072 of 2022

mt[co]

srg 04/03/2022