



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.3278, 3280, 3282, 3285 and 3287 of 2022

V.Kalaivani	.. Petitioner in WP.3278/22
P.Poonguzhali	.. Petitioner in WP.3280/22
Y.Valarmathi	.. Petitioner in WP.3282/22
S.Mohana	.. Petitioner in WP.3285/22
G.Ragavan	.. Petitioner in WP.3287/22

vs

1. The State, Rep. by
The State Election Commissioner,
Jawaharlal Nehru Road,
Arumbakkam, Chennai.
 2. The District Election Officer cum
District Collector, Chengalpattu,
Chengalpattu District.
 3. The Election Officer,
Mamallapuram Town Panchayat,
Thirukalukundram Taluk,
Chengalpattu District.
- .. Respondents 1 to in WPs.
3278, 3280 & 3282 and
3287/2022
3. The Election Officer,
Mathuranthagam Municipality,
Mathuranthagam Taluk,
Chengalpattu District.
- .. 3rd respondent in
WP.3285/2022

Common Prayer: Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to consider petitioners' representation dated 12.02.2022 and 11.02.2022 to monitor the election under observation of 2nd respondent and recording the vote polling & vote counting center under surveillance of camera and any objection or contradiction for vote counting arose any



party authorized stop the counting and seal polling box immediately in my contest 14th Ward (WP.3278/22), 5th Ward (WP.3280/22), 11th Ward (WP.3282/22) and 15th Ward (WP.3287/22) in Mamallapuram Town Panchayat, Thirukalukundram Taluk, Chengalpattu District and 2nd Ward in Mathuranthagam Municipality, Mathuranthagam Taluk, Chengalpattu District (WP.3285/22) in accordance with law and conduct the election free and fair.

For the Petitioner
in all WPs.

: Mr.K.Duraimurugan

For the Respondents
in all WPs.

: Mr.S.Sivashanmugam
Stdg. Counsel for R-1
: Mr.R.Shumugasundaram
Advocate General
Assisted by Mr.P.Muthukumar
State Govt.Pleader for RR2 & 3

COMMON ORDER

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

The writ petitions have been filed to consider the petitioners' representations dated 12.02.2022 and 11.02.2022 and to direct the second respondent to monitor the ensuing local body election scheduled to be held on 19.02.2022 under the surveillance camera and by recording the entire election process in the respective wards in order to conduct free and fair election in accordance with law.

2. The writ petitions have 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 and also the order of this Court dated 03.01.2022 in W.P.No.27138 of 2021 whereby a direction, as prayed, has already been issued.

3. In view of the above, the petitions are unnecessary petitions and that too for no reason when the direction sought for by the petitioners 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.

4. 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 petitions are dismissed as unnecessary petitions with cost 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 petitions shall be listed for taking appropriate action for non compliance.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

sra

To:

1. The State Election Commissioner,
Jawaharlal Nehru Road, Arumbakkam, Chennai.
2. The District Election Officer cum
District Collector, Chengalpattu,
Chengalpattu District.
3. The Election Officer,
Mamallapuram Town Panchayat,
Thirukalukundram Taluk, Chengalpattu District.
4. The Election Officer,
Mathuranthagam Municipality,
Mathuranthagam Taluk, Chengalpattu District.
5. The Section Officer,
Writ Section, High Court,
Madras.

Copy To:

The Secretary
Tamil Nadu State Legal Services Authority,
Chennai.

+1cc to Mr.K.Duraimurugan, Advocate, S.R.No.10584
+1cc to the Government Pleader, S.R.No.10795

W.P.Nos.3278, 3280, 3282,
3285 and 3287 of 2022

PL(CO)
SB(24/02/2022)