



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.2.2022

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P. (MD) .No.3159 of 2022

K.Deivendran

..Petitioner

vs

1. The Election Commissioner
The Tamil Nadu State Election Commission
No.208/2, Jawaharlal Road
(in front of Koyambedu Bus Terminal)
Arumbakkam, Chennai 600 106.

2. The District Collector
Sivagangai District
Sivagangai.

3. The Commissioner/Election Officer
Manamadurai Municipality
Sivagangai District.

4. K.Ponnusamy

..Respondents

Prayer: Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 3 herein to record the entire election proceedings by video graphing of Polling and Counting of Votes in the Election of the post of 15th Ward Member of Manamadurai Municipality, Sivagangai District, which is going to be conducted on 19.02.2022 under the supervision of the Election Commission to ensure free and fair election.

For Petitioner : M/s.Bharathykannan.S

For Respondents : Mr.S.Sivashamugam,
Standing Counsel for R1

Mr.R.Shanmugasundaram,
Advocate General
Assisted by
Mr.P.Muthukumar
State Government Pleader
for R2 & R3



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

The writ petition has been filed seeking a direction to respondents 1 to 3 herein to record the entire election proceedings by video graphing of polling and counting of votes in the election of the post of 15th Ward Member of Manamadurai Municipality, Sivagangai District, which is going to be conducted on 19.2.2022 under the supervision of the Election Commission to ensure free and fair election.

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 to and also the order of this Court dated 03.1.2022 in W.P.No.27138 of 2021, where appropriate directions have already been given.

4.In view of the same, the writ petition is dismissed 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 petition shall be listed for taking appropriate action for non compliance. There will be no order as to costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

RS

To:

1. The Election Commissioner
The Tamil Nadu State Election Commission
No.208/2, Jawaharlal Road
(in front of Koyambedu Bus Terminal)
Arumbakkam, Chennai 600 106.



2. The District Collector
Sivagangai District
Sivagangai.

3. The Commissioner/Election Officer
Manamadurai Municipality
Sivagangai District.

Copy To

The Member Secretary,
Tamil Nadu State Legal Services Authority,
Chennai.

W.P. (MD) .No.3159 of 2022

GPL (CO)
RGA (23/02/2022)