



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.3.2022

CORAM :

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.5599 of 2022 &

WMP.No.5686 of 2022

1.Mr.G.Subramani
2.Mr.M.Velan
3.Mr.K.Kuppusamy
4.M.Madhammal
5.M.Mekala
6.V.Shiji
7.A.Shanthi

...Petitioners

vs

1.The Chief Electoral Officer,
Public (Elections) Department,
Secretariat, Fort. St.George,
Chennai-9.

2.The State Election Commissioner,
Tamil Nadu State Election
Commission, No.208/2, Jawaharlal
Nehru Road, Opp. CMBT,
Arumbakkam, Chennai-106.

3.The District Collector,
Fort Main Road, Salem-1.

4.The Executive Officer,
Kadaiyampatti Town Panchayat,
Kadaiyampatti, Salem-636457.

5.The Superintendent of Police,
Sankari Main Road,
Nethimedu, Salem-2.



6. Mrs. Sangeetha, Deputy
Superintendent of Police,
Omalur Main Road, Near
Brindavan Theatre, Omalur,
Salem-636455.

7. Mr. E. Anandakumar, Inspector
of Police, Theevatipatti.
636305.

... Respondents

Prayer: Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st and the 2nd respondents to take appropriate disciplinary action against the 4th, 6th and 7th respondents and appoint an appropriate Election / Returning officer not less than the rank of the Sub-Collector to monitor the Indirect elections for the posts of Town Panchayat President and Vice president, Kadaiyampatti Town Panchayat and conduct the said election on such date as fixed along with appropriate police protection and CCTV surveillance inside and outside the Election premises in the manner as prescribed by this Court and consequently direct the 5th and 6th Respondents to provide adequate police protection to the petitioners herein.

For Petitioners : Mr. Vijay Narayan,
Senior Counsel for
Mr. M. Kaviyanathan for
Nathan & Associates

For Respondents : Mr. S. Sivashanmugam
Standing Counsel for R1 &
R2

Mr. R. Shunmugasundaram,
Advocate General assisted
by Mr. P. Muthukumar, State
Government Pleader for R3
and R4

Mr. Hasan Mohammed Jinnah
Public Prosecutor assisted
by Mr. A. Gopinath,
Government Advocate
(Crl. Side) for R5



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

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We have heard the learned counsel appearing for the respective parties.

2. The writ petition has been filed at the stage when the election, which was scheduled to have been held on 04.3.2022, to the posts of the President and the Vice President of Kadaiyampatti Town Panchayat, was postponed without notifying the next date.

3. Pursuant to allegations made in the writ petition, the official respondents were called upon to submit their status report and accordingly, the State Government and also the State Election Commission submitted their reports. It is stated that for want of quorum, the election was postponed and the date has been notified as 26.3.2022, on which date, the election to the posts of the President and the Vice President to the town panchayat concerned, would be conducted.

4. In view of the above, we find that the grievance raised by the petitioners has now been redressed by the respondents by notifying the date for election to the posts of the President and the Vice President of Kadaiyamatti Town Panchayat.

5. Hence, this writ petition is disposed of with a direction to the State Election Commission and also to the Superintendent of Police of the area concerned to monitor the election, so that it would be conducted in a fair and transparent manner. Consequently, the connected WMP is closed. There will be no order as to costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To:

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Kadaiyampatti, Salem-636457.

5.The Superintendent of Police,
Sankari Main Road, Nethimedu, Salem-2.

6. The Inspector of Police
Theevatipatti-636 305.

+1 CC to M/s. Nathan and Associates sr 18103.

+1 CC to The Government Pleader sr 18197

WP.No.5599 of 2022 &

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RSI (CO)

SP(18/03/2022)