



W.P. Nos 5795 & 5796 of 2022

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2022

CORAM :

THE HON'BLE MR. JUSTICE M. DURAISWAMY

AND

THE HON'BLE MRS. JUSTICE T.V. THAMILSELVI

W.P. Nos 5795 & 5796 of 2022

K. Ganesan

.. Petitioner in W.P.No.5795/2022

V.U.Maruthachalam

.. Petitioner in W.P.No.5796/2022

v.

1. Tamil Nadu State Election Commission,
208/2, Jawaharlal Nehru Salai,
(Opp. To Koyambedu Bus Terminus),
Arumbakkam,
Chennai – 600 106.

2. The Election Officer/Executive Officer,
Vellalore Town Panchayat,
Coimbatore.

3. The District Election Officer/
District Collector,
Coimbatore.

4. The Commissioner of Police,
Coimbatore – 641 018

.. Respondents in both Wps



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Writ Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus, directing the 1st respondent herein to appoint any other Election Officer not less than the District Revenue Officer rank and further conduct election for the post of President and Vice President for Vellalore Town Panchayat in Coimbatore District forthwith without any further delay and further directing to videograph of the entire election process and further direct the 4th respondent herein to provide adequate police protection for conducting the election for the post of President and Vice President for Vellalore Town Panchayat. 2.

For Petitioners : Mr. G.Rajagopalan Senior Counsel
for Mr.D.Selvam (W.P.No.5795/2022)
for Mr.S.Praveennath (W.P.No.5796/2022)

For Respondents : Mr.S. Shivashanmugam,
(Both WPs) Standing Counsel– R1

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

Mr. Hasan Mohamed Jinnah,
State Public Prosecutor, Assisted by
Mr.A.Gopinath, Govt.Advocate(Crl.Side)– R4



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COMMON ORDER

(Order of the Court made by M.DURAISWAMY,J.)

The petitioners have filed the above Writ Petition directing the 1st respondent to appoint any other Election Officer not less than the rank of District Revenue Officer and further conduct election for the post of President and Vice President for Vellalore Town Panchayat in Coimbatore District forthwith without any further delay and further directing to videograph of the entire election process and further direct the 4th respondent to provide adequate police protection for conducting the election for the post of President and Vice President for Vellalore Town Panchayat.

2. Since the issue involved in both the Writ Petitions are common, by consent of the learned counsel on either side, the Writ Petitions are disposed of by this common order.

3. Mr.S.Shivashanmugam, learned Standing Counsel, taking notice for the 1st respondent, Mr.R.Shanmugasundaram, learned



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Advocate General, assisted by Mr.P.Muthukumar, learned Government Pleader, taking notice for the respondents 2 and 3 and Mr. Hasan Mohamed Jinnah, learned Public Prosecutor, assisted by Mr.A.Gopinath, Government Advocate (Crl.Side), taking notice for the 4th respondent submitted that the respondents have already made all arrangements for the peaceful conduct of the election scheduled to be held on 26.03.2022.

4. The learned Advocate General submitted that by virtue of the order passed by the Hon'ble First Bench of this court, the election to be conducted on 26.03.2022 will be videographed and adequate police protection would be provided on the date of election.

5. The learned Standing Counsel appearing for the 1st respondent submitted that the 1st respondent had already appointed Observers to oversee the election to be conducted on 26.03.2022.



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6. Mr. G.Rajagopalan learned Senior Counsel appearing for the petitioners submitted that recording the submissions made by learned Advocate General, appearing for the respondents 2 and 3, learned Standing Counsel appearing for the 1st respondent and the learned Public Prosecutor appearing for the 4th respondent, the Writ Petitions may be closed.

7. In view of the submissions made by the learned counsel on either side, recording the submissions made by the learned Advocate General, appearing for the respondents 2 and 3, learned Standing Counsel appearing for the 1st respondent and also the submissions made by the learned Public Prosecutor appearing for the 4th respondent, the Writ Petitions are closed. No costs.

[M.D., J.] [T.V.T.S., J.]
14.03.2022

Index : Yes/No

Speaking Order/Non Speaking Order

Rj



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