



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:09.02.2022

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No. 2646 of 2022

M.Selvam

...Petitioner

Vs.

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.

...Respondents

Prayer:Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent not to interfere in the Election Campaign of the petitioner in the Local Body Election held on 19.02.2022 to the Post of Ward Member, Madurai City Municipal Corporation, Ward No.100.

For Petitioner : Mr.K.Gandhi Kumar

For Respondents: Mr.R.M.Anbunithi
Additional Public Prosecutor

O R D E R

The Writ Petition has been filed in the nature of Madamus, seeking a direction to the second respondent not to interfere in the Election Campaign of the petitioner in the Local Body Election, which is scheduled to be held on 19.02.2022, for the post of Ward Member, Madurai City Municipal Corporation, Ward No.100.

2.The case of the petitioner is that the petitioner belongs to one political party and his wife is contesting to the post of Ward Member in Avaniyapuram Municipality. Since the petitioner group and the opposite group involved in many crimes, the second respondent is not permitting the petitioner to do his election campaign.

3.The learned Counsel for the petitioner submitted that a false case was foisted against the petitioner in Crime No.1750 of 2020, on the file of the second respondent, in which the petitioner was granted an anticipatory bail by this Court by an order dated



01.04.2021 in CrI.O.P(MD)No.1269 of 2021.

4.While granting the anticipatory bail to the petitioner, this Court directed the petitioner to appear before the concerned jurisdictional Court since NBW was pending against the petitioner. Thereafter, non-bailable was recalled and the petitioner complied with the directions without fail. There is absolutely no apprehension that any untoward incident may arise between the two groups. If at all the petitioner involved in any crime during the election campaign, it is open to the second respondent to deal with the same in accordance with law.

5.Considering the above, the petitioner is at liberty to do his election campaign for the local body election, which is scheduled to be held on 19.02.2022. If the petitioner involved in any crime during the election campaign, the second respondent is directed to take appropriate action as against the petitioner in a manner known to law.

6.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

Note:..In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Commissioner of Police,
Madurai City,
Madurai.

2.The Inspector of Police,
Avaniyapuram Police Station,
Madurai City.



3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.GANDHI KUMAR, Advocate (SR-5083[F] dated
09/02/2022)

W.P (MD) .No.2646 of 2022
09.02.2022

SRR(CO)
TR(18.02.2022) 3P 5C