

August 6, 2025
Sl. No.8
Court No.8
s.biswas

WPA(P) 369 of 2021

Tanushree Mondal

vs.

West Bengal State Election Commission and others

Mr. Sayan Banerjee

Ms. Suparna Dutta

Mr. Nilanjan Pain

... for the petitioner

Mr. Amitabrata Ray, GP

Mr. Nilotpai Chatterjee

... for the State

1. The parties are represented through their respective learned counsel.

2. In this case, the petitioner has prayed for following relief:

A) A Writ in the nature of Mandamus directing the Respondents their men, agents and subordinates to declare the elections held on 19.12.2021 of ward no.101, 102, 109, 110 as void;

B) A writ in the nature of Mandamus directing the respondents their men, agents and subordinates to investigate an absurd voting percentage in favour of the ruling party called AITC on 19.12.2021;

C) A writ in the nature Mandamus directing the respondents their men, agents and subordinates a direction to preserve and examination of the CCTV footage of the above mentioned booth and wards;

D) A Writ in the nature of Mandamus directing the Respondents their men, agents and subordinates a direction to conduct of frst election in Ward Nos.101, 102, 109, 110 and investigate all incidents of violence which took place during the polls on 19.12.2021;

E) A Writ in the nature of Certiorari directing the respondents to transmit the entire records of the voter list and all the documents submitted by the polling officer called 16A Registered and Presiding Officer Dairy of Ward No.110, 102, 109, 101 case to this Hon'ble Court so that conscionable justice may be done.

3. Relief 'A' shows that the election held on 19.12.2021 in Ward Nos.101, 102, 109 and 110 are sought to be declared as void. The most of the period for which the election had taken place is already over. Apart from this, on a specific query from the Bench, learned counsel for the parties fairly submits that under the relevant Municipal Law there exists a provision for challenging the election.
4. In view of existence of such provision, even otherwise we find no reason to entertain this PIL. The PIL is accordingly dismissed by reserving liberty to assail election in appropriate proceeding.

(Sujoy Paul, J.)

(Smita Das De, J.)