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W.P.(MD)No.10098 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.04.2026

CORAM :

THE HONOURABLE MR.SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.10098 of 2026

and W.M.P.(MD)Nos.7959, 7961, 7963 of 2026

Muthukumaraparthiban,
S/o.Subramani,
Residing at No.120, Sivanmalai Valasu,
Monjanur, Karur.
Representative of R.Elango,
Candidate of Dravida Munnetra Kazhagam,
134-Aravakurichi Assembly Constituency (2026),
Karur.

.. Petitioner(s)

Vs

1.The Chief Election Commissioner,
Election Commission of India,
Nirvachan Sadan, Ashoka Road,
New Delhi - 110 001.

2.The Chief Electoral Officer,
Tamilnadu,
Secretariat, Fort St.George,
Chennai - 600 009.



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3.The Returning Officer,
134-Aravakurichi Assembly Constituency,
Taluk Office, Aravakurichi,
Karur District.

.. Respondent(s)

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus to call for the records relating to the amended Annexure-W published by the 1st respondent on their official website in suvidha.eci.gov.in, insofar as it prescribes and restricts permission only for opening of a Temporary Party Office Building, and the consequential proceedings of the 3rd respondent in R.C.No.E/681/2026-2 dated 05.04.2026 rejecting the petitioner's representation / application dated 03.04.2026, quash the same, and consequently direct the 3rd respondent to permit the petitioner to establish and run a temporary party office at the subject site in 134-Aravakurichi Assembly Constituency for the election period and pass such or other order as this Hon'ble Court deems fit and necessary.

For Petitioner(s): Mr.N.R.Elango
Senior Counsel
for Mr.R.Kannan

For Respondent(s):Mr.Niranjana Rajagopalan
Standing Counsel
for R1 to R3



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ORDER

(Order of the Court was made by G.ARUL MURUGAN, J.)

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The writ petition is filed challenging the amended Annexure-W published by the Commission on their official website, with respect to opening of a temporary party office and the consequential rejection of the application of the petitioner by the 3rd respondent vide order dated 05.04.2026 and to permit the petitioner to put up a temporary party office in the proposed place.

2. According to the petitioner, he is the representative of a candidate, who contests for the Aravakurichi Assembly Constituency in the Tamil Nadu Legislative Assembly General Elections, 2026. An application through online was submitted on 03.04.2026, enclosing all the required documents, seeking permission to establish a temporary party office. The permission was sought from 05.04.2026 to 23.04.2026 for which the petitioner had obtained a short-time lease agreement and also produced a letter of authorisation. However, by impugned order dated 05.04.2026, the 3rd respondent rejected the application on the ground that the permission can be granted only for buildings duly approved by the competent authorities.

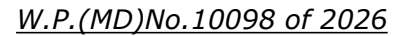


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3. Since the impugned order is pursuant to Annexure-W published by the Commission, the petitioner had come up with the present petition challenging both the amended Annexure-W and the order of rejection.

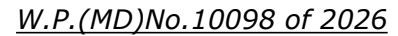
4. Mr.N.R.Elango, learned Senior Counsel for the petitioner submitted that, the purpose of putting up a temporary party office is only in view of the election work to be carried out in the constituency for the ensuing election, which would be roughly for around 20 days. For such a short period, any condition contemplating that an approved building is required would be arbitrary and irrational that would defeat the very purpose and meaning of a temporary office.

5. The learned Senior Counsel further contended that all along it had been the practice of all the political parties across the State to establish and put up temporary tarpaulin sheds and pandals for the short duration to carry out the election work. However, even when the instructions issued by the Election Commission of India on 02.01.2024 do not contemplate requirement of any approved building for putting up a temporary office, Annexure-W published by the Commission for making an application through online, earmarking a column to specify



6. Mr.Niranjan Rajagopalan, learned Standing Counsel taking note of the respondents submitted that the Commission, being the authority to conduct smooth, free and fair elections, had issued several directions in exercise of the power under Article 324 of the Constitution of India towards conducting the elections. Apart from the directions issued, the Commission, considering the requirements and ground situation, also prescribes necessary measures to be taken for ensuring the safety and smooth conduct of elections.

7. Learned Standing Counsel by relying on the order of the Division Bench of this Court in the case of *A.Ravi v. Election Commission of India dated 24.02.2023* submitted that several issues already arose in respect of establishing large number of temporary sheds, which have been misused and pursuant to the directions issued,



8. Heard the rival submissions and pursued the materials available on record.

9. At the outset, it is to be noted that Annexure-W issued by the Commission is not in respect of any specific Constituency or District but it applies to all the candidates and political parties across the State. No complaint in this regard has been raised by any of the other candidates or political parties.

10. The impugned amended Annexure-W published by the 1st respondent/Election Commission is a printed format of application for opening of temporary party office. The candidate submitting this application has to fill up the name of the candidate and the political



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party to which he belongs and the duration during which the permit for opening the temporary office is sought for. Further the details of the building are to be furnished along with address, as to whether the building is approved by a competent authority, the rental/lease agreement and the details of building owner, enclosing the copies of the relevant documents.

11. The application submitted by the petitioner was considered and the 3rd respondent, by order dated 05.04.2026, has rejected the application on the ground that permission can be granted only for a building duly approved by the competent authority and as the structure proposed in the application seeking permission is temporary tarpaulin shed, it does not qualify as an approved building.

12. It is the vehement contention of the learned Senior Counsel for the petitioner that when initially Annexure-W did not seek for approval details of the building, later the amended Annexure-W issued contains the column, which is arbitrary and irrational. Further for the election work which is only for a short period of less than a month, the candidate cannot get any approved building and the condition is arbitrary and excessive. The learned Standing Counsel for the



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Commission has countered the said contention by bringing to the notice of this Court that very recently in the run up to the present Assembly Election, an untoward incident had happened in the same District, where several lives were lost and the Commission is closely considering all the situations and ground realities and every possible step taken towards ensuring the safety, free and fair conduct of elections is undertaken.

13. The Commission had issued instructions on 02.01.2024 with respect to several issues, including the setting up of temporary campaign offices. It is also brought to the notice of this Court that earlier large number of sheds, nearly numbering 150, were established in an adjacent District, which were used to commit several illegalities impeding the fair election process. Pursuant to the writ petitions filed and directions issued by this Court, the Commission had taken steps and also closed many sheds.

14. Taking all these aspects into consideration, the Commission which is vested with the power under Article 324 of the Constitution of India is issuing necessary instructions, considering the ground realities and prevailing situations in order to ensure public safety, free and fair



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conduct of elections.

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15. Admittedly, the petitioner had submitted an application seeking to put up a tarpaulin shed for temporary party office, which came to be rejected as it is not an approved building. When admittedly, large number of party people including the public, would be visiting the temporary party office, then if it is put up using tarpaulin shed, there is a risk and every likelihood of some untoward incidents. The Commission had considered all these issues and had undertaken certain measures in the overall interest of candidates, party workers and public at large, which cannot be construed as irrational or arbitrary.

16. The Annexure-W issued by the Commission by including the clause seeking approval details of the building is definitely with the purpose of ensuring the safety, which applies to all the Constituencies throughout the State irrespective of political parties. Further, the candidate who is very much aware that he is proposing to contest in the elections, ought to have identified a place for his temporary office which is safe and secure, protecting his own office people and the public from any untoward incidents.



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17. Under such circumstances, we see no merits in the challenge made warranting interference. Accordingly, the writ petition stands dismissed. There shall be no order as to costs. Consequently, interim applications stand closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN, J)
10.04.2026

Index : Yes/No
Neutral Citation : Yes/No
sri

To:

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THE HON'BLE CHIEF JUSTICE
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