



W.P.(MD) No.10700 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD) No.10700 of 2026
and WMP (MD) No.8366 of 2026

S. Sathish Kumar
S/o.Sethu,
No.478, Veerani, Panangadi Post,
Kalaiyarkoil Taluk,
Sivaganga District - 630 556.

Petitioner

Vs

- 1.The Election Commission of India
Through the Chief Election Commissioner,
Nirvachan Sadan, Ashoka Road,
New Delhi - 110 001.
- 2.The Chief Electoral Officer and
Principal Secretary to Government,
Public (Elections) Department,
Secretariat, Chennai - 600 009.
- 3.The District Collector/
District Election Officer
District Collectorate,
Sivaganga District - 630 562.



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4.Raj Selvan
Public Relations Officer (P.R.O),
Information and Pubic Relations Office,
Sivaganga District.

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 27.03.2026 and consequently transfer the 4th respondent out of Sivaganga District in strict compliance with the Election Commission of India's Circular No. 437/6/1/INST/ECI/FUNCT/MCC/2026 dated 09.02.2026.

For Petitioner: Mr.Yash Rathi

For Respondents: Mr.Niranjana Rajagopalan
Standing Counsel
for R1 to R3

ORDER

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

Heard.

2. This writ petition, styled as public interest litigation, has been filed by the petitioner for issuance of a writ of mandamus directing respondents 1 to 3 to transfer the fourth respondent out of Sivaganga District in compliance with the Circular dated 9.2.2026 of the Election



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Commission of India.

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3. The case of the petitioner is that the fourth respondent has been serving in Sivaganga Information and Public Relations Office since December, 2021 and the continued retention of the fourth respondent as District Public Relations Officer in Sivaganga District is in clear violation of the statutory transfer guidelines issued by the Election Commission of India in view of the forthcoming Tamil Nadu Legislative Assembly Elections, 2026. In the light of the sensitive nature of duties discharged by the fourth respondent, particularly in relation to election media monitoring and voter awareness, such prolonged tenure coupled with political affiliation is stated to pose a grave threat to the fairness and integrity of the electoral process. In this regard, the petitioner has submitted several representations to the competent authorities and the last representation of the petitioner is dated 27.3.2026. Despite receipt of the representations, the competent authorities have not taken any action. Hence, the petitioner has filed the present writ petition.

4. It is well settled that no public interest litigation is maintainable in service matters. This issue is covered by the



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judgment of the Apex Court in *Ayaaubkhan Noorkhan Pathan v. State of Maharashtra*¹, wherein the Apex Court has held that such a course of action is not permissible so far as service matters are concerned.

5. The petitioner's attempt seeking transfer of the fourth respondent through a public interest litigation is nothing but perverse and misconceived. Accordingly, we refrain from entertaining this writ petition. However, the Election Commission of India would be free to deal with the representation, if any, submitted by the petitioner, in accordance with law.

6. The writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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

21.04.2026

Index : Yes/No
Neutral Citation : Yes/No
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¹(2013) 4 SCC 465



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To:

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