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புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

EXTRAORDINARY

அதிகாரம் பெற்ற
வெளியீடு

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No.		Poudouchéry	Jeudi	23	Janvier	2025 (3 Magha 1946)
No.		Puducherry	Thursday	23rd	January	2025

GOVERNMENT OF PUDUCHERRY
ELECTIONS DEPARTMENT

No. E.81(EP)/2021-33.

Puducherry, dated 22nd January 2025.

NOTIFICATION

The Election Commission of India's Notification No. 82/PUDU-LA/(EP 01 of 2021)/2025, dated 08-01-2025, regarding Order of the High Court of Madras, dated 08-11-2024 in the Election Petition No. 01 of 2021 is hereby published for the information of the public.

P. JAWAHAR, I.A.S.,
Chief Electoral Officer.

SECRETARIAT OF THE ELECTION COMMISSION OF INDIA

*Nirvachan Sadan,
Ashoka Road,
New Delhi-110 001.*

*Dated: 08th January, 2025,
18 Pausha, 1946 (Saka).*

NOTIFICATION

No. 82/PUDU-LA/(EP 01 of 2021)/2025:- In pursuance of section 106 (b) of the Representation of the Peoples Act, 1951 (43 of 1951), the Election Commission, hereby publishes the Order of the High Court of Madras, dated 08-11-2024 in Election Petition No. 01 of 2021.

(Here print the Judgement/Order attached)

(By Order)

MALAY MALLICK,
Principal Secretary,
Election Commission of India.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 30-08-2024

Delivered on : 08-11-2024

CORAM :

THE HON'BLE MR. JUSTICE D. KRISHNAKUMAR

Election Petition No. 1 of 2021

V.M.C.S.Manoharen

.. Petitioner

Vs.

1. M. Nagathiyagarajan
2. A. Arulraju
3. S. Sellamuthu
4. C. Baladhandayudhabani
5. Mohammed Yusuf
6. VMCS.Rajaganapathi
7. A. Geetha Anandan
8. S. Sridhar
9. The Returning Officer -X,
Neravy – T.R.Pattinam Constituency, Karaikal District,
Union territory of Puducherry.
10. The Chief Electoral Officer,
Union territory of Puducherry-605 001.
11. The District Election Officer,
Karaikal District.

.. Respondents

(R9 to R11 struck off, *vide* order, dated 03-12-2021 made in O.A.No. 704/2011)

Prayer: Election Petition filed under sections 100(1)(b), 100(1)(d)(ii) & (iv), 101 (a) & (b), 123(2) & (4) of the Representation of the Peoples Act, 1951 r/w. Rule 2 of the Madras High Court Conduct of Election Petition Rules, 1967.

For Petitioner : M/s. Parthiban Patmanabane

For Respondents : Mr. P.V. Balasubramaniam, Sr. Counsel for
Mr. S. Ganeshkumar for R1

ORDER

The petitioner has filed this Election Petition under sections 100(1)(b), 100(1)(d)(ii) & (iv), 101(a)&(b), 123(2) and (4) of the Representation of Peoples Act, 1951 [in short "RP Act"], read with Rule 2 of the Madras High Court Conduct of Election Petition Rules, 1967, praying for the following relief:

(a) Declare the election of the first respondent, a returned candidate from Neravy - T.R.Pattinam Constituency in Karaikal at Union territory of Puducherry on 02-05-2021 as *null and void*;

(b) Declare the petitioner as the duly elected candidate from Neravy - T.R.Pattinam Constituency in Karaikal at Union territory of Puducherry;

(c) To pass such further orders.

Brief Facts of the Case

2.1. The election petitioner is one of the candidates who contested for the general elections at Neravy - T.R. Pattinam Constituency in Karaikal. The petitioner is a Bharathiya Janata Party (BJP) Candidate and the first respondent is a Dravida Munnetra Kazhagam (DMK) candidate contested in the general elections of Neravy-T.R.Pattinam Constituency, Union territory of Puducherry, both being recognized political parties. The respondents 3 to 8 are other party candidates who contested along with the election petitioner and the first respondent.

2.2. On 26-02-2021, the Election Commission of India [in short "ECI"] has announced the Schedule of General Elections to the Legislative Assemblies of Puducherry, 2021. According to the Press Note released by ECI, the notification for the Puducherry Legislative Assembly Constituency will be issued on 12-03-2021 and polling will be held on 06-04-2021. ECI has communicated the provisions of Model Code of Conduct [in short "MCC"] for ensuring peaceful, free and fair election.

2.3. The election petitioner further states that as per section 39A of the RP Act, 1951 and the MCC issued by the respondents 9 and 10, all activities of canvassing on all forms is permitted till 48 hours before the hour fixed for poll for such election and the canvassing activities have to be completed on 04-04-2021.

2.4. According to the election petitioner, the first respondent, being a contesting candidate, even though fully aware that the time to canvass has ended and any activity in 48 hours before the hour fixed for poll for such election is prohibited under the Act and MCC, in violation of the same, has made a video statement on 05-04-2021, *i.e.*, one day prior to the election date 06-04-2021 and circulated the same to local public by way of Whatsapp video.

2.5. The video statement made through Whatsapp by the first respondent/applicant in the vernacular language reads as follows:

“வணக்கம் நான் உங்கள் நாகதியாகராஜன். கடந்த நால் வருசமா மக்களுக்கு நான் ஒரு சமூக சேவகரா, எண்ணெல்லாம் என்னெவல்லாம் பணி செய்ய முடியுமோ அத்தனையும் நான் செஞ்சி ஒரு நல்லது பண்ணிக்கிட்டு இருந்தேன். அதைப் பார்த்துட்டு, ஒரு நல்ல கட்சியில் எனக்கொரு சீட்டு கொடுத்தாங்க. நானும் ஒரு ஆட்டு ஆனா, சட்டமன்ற உறுப்பினர் ஆனா. மக்களுக்கு ஏதாவது நல்லது செய்யலாம் அப்படிங்கிறதால, அதை ஏத்துக்கிட்டு தேர்தலை சந்திச்சேன். தேர்தல் சீட்டு கிடைக்காதவங்க, மத்தவங்க எல்லாம் ஒன்னா சேர்ந்து எனக்குக் கொடுத்த துன்பம் துயரம் அதை வெளியில் சொல்லமுடியாத ஒரு விஷயம். இந்த பதினஞ்சு நாளுல என்னால முடிஞ்சவரைக்கும் நான் சமாளிச்ச இந்தத் தேர்தல் வரைக்கும் வந்துட்டேன். ஆனா, நாளைக்கு தேர்தல், இன்னைக்கு நான் வெளியில் கூட வரமுடியாம, பதுங்கிக்கிட்டு இருக்கிற சூழ்நிலையில் அதை எப்படி சொல்றதுன்னு கூட தெரியல, சொல்லவே பயமாயிருக்கு, அப்படி ஒரு சூழ்நிலையில் கொண்டாந்து என்ன வச்சிருக்காங்க. அவங்க பண பலத்தையும், அதிகார பலத்தையும் வேற மாதிரி பயன்படுத்துறாங்க. நான் இந்தத் தேர்தலுக்காக என்னென்னவெல்லாம் ஏற்பாடு செஞ்சி வச்சிருந்தேனோ, அத்தனையும் முடக்கி, என்னை நிராயுதபாணியாக இங்க வச்சிருக்காங்க. நான் கடைசியா நம்புறது மக்கள், கடவுள் ரெண்டு பேரையும்தான். நீங்க நாளைக்கு நடக்குற தேர்தல் உதயசூரியன் சின்னத்தில் வாக்களித்து என்ன காப்பாத்துல அப்படின்னா, அது வேறமாதிரியான ஒரு முடிவா இருந்தா என்னவாக போறேங்கிறது எனக்கே தெரியல. என்னுடைய வாழ்க்கை உங்க கையிலதான் இருக்கு. நீங்கதான் ஒரு நல்ல முடிவை சொல்லணும். ஏன்னா, என்னால என்ன முடியுமோ அத்தனையும் இழுந்துட்டு இன்னைக்கு நிராயுதபாணியாக நிக்கிறேன். இன்னைக்கு நடக்குற விஷயங்கள் என் வாழ்க்கையில் வந்து ஒரு மறக்க முடியாத நாளாயிருக்கும். என்னுடைய கடைசி நம்பிக்கை கடவுளும் நீங்களுந்தான்னு நம்புறேன். நாளைக்கு உதயசூரியன் சின்னத்தில் வாக்களிச்ச நிச்சயமா ஒரு நல்ல முடிவு குடுப்பீங்கன்னு நம்புறேன். நன்றி.”

2.6. According to the election petitioner, the act of the first respondent falls within the definition of corrupt practice under section 123 of RP Act and the same is a ground for declaring the election as void under section 100 of the RP Act.

2.7. The election petitioner states that immediately a complaint was given by the State Vice-President, BJP to the District Election Officer, Karaikal, Pondicherry, on the same day on 05-04-2021 and subsequently, an FIR was registered in Crime No. 0037/2021 by the Station House Officer, T.R.Pattinam Police Station, Karaikal under sections 171F and 188 IPC. However, inspite of the complaint, the election was permitted to continue and results were declared declaring the first respondent as the returned candidate. According to the election petitioner, the first respondent has won the election illegally, in violation of the RP Act and MCC and therefore, the election petitioner has filed the Election Petition in ELP.No. 1 of 2021 to declare the election as void.

3. The first respondent in the election petition has filed O.A.No. 53 of 2022 under Order VII Rule 11 CPC to reject the election petition by denying the averments made in the election petition. It is contended that the election petition does not disclose any cause of action and therefore, the same deserves to be rejected in limine. The election petitioner has also filed a counter affidavit in the original application.

4. This Court heard both the learned Counsel for the parties concerned in the said original application and held the matter requires full fledged trial and posted the matter for trial by granting liberty to the parties to raise all the grounds at the time of trial in the election petition and accordingly dismissed the original application.

5. At the time of trial, the following issues were framed for consideration:

(1) Whether, the circulated video during the prohibited hours of election canvassing to voters has indirectly induced the voters or circulated with a calculation that the said video will create an impact in the next day election ?

(2) Whether, the clarification of the Election Commission of India *vide* its Instructions No. 491/SM/2013/COMMUNICATION, dated 25-10-2013 is binding on the candidates and permissible under the Representation of People's Act ?

(3) Whether, the first respondent has circulated a video in Whatsapp canvassing to the voters during the prohibited hours of election ?

(4) Whether, the first respondent has committed Corrupt Practice warranting the election to be declared as *null and void* in terms of section 100(1)(b) of the Representation of People Act, 1951 ?

(5) Whether, the first respondent had violated any provisions of Constitution of India or The Representation of the Peoples Act, 1951 or the Rules made thereunder warranting declaration of election as *null and void* in terms of section 100(1)(d)(iv) ?

(6) Whether the Election Petitioner is entitled to be declared as duly elected candidate from Neravy - T.R.Pattinam Constituency ?

6. The election petitioner examined himself as PW.1 and examined four others witnesses and also marked Exs.P1 to P16. On the defence side, the first respondent examined himself as RW.1 and no document was made on his side. The District Collector, Karaikal, was examined as CW.1 and Exs.C1 to C3 were marked.

7. Mr. P.Parthiban, learned Counsel appearing for the election petitioner has made the following submissions:

7.1. The first respondent has violated sections 39A and 126 of the RP Act and also the Model Code of Conduct made in exercise of power conferred under the Act and thus his election is liable to be declared void, if proved. Hence, for non-compliance with the provisions of the Act or of any rules or orders made under this Act, this Court can declare the election of the returned candidate to be void as per section 100(1)(d) (iv) of the RP Act.

7.2. The canvass activity in any form is permitted only during the time allocated, more particularly till 48 hours before the hour fixed for polling for such election. The first respondent has violated the same and circulated a Whatsapp video to the public during prohibited hours which is intentional and calculated to influence or affect the result of the election.

7.3. Section 126 (1)(c)(3) of the RP Act, 1951 specifically states that "election matter" means, any matter intended or calculated to influence or affect the result of an election. The first respondent has violated the same and sent

a Whatsapp video and circulated the same to public during prohibited hours which is intentional and calculated to influence or affect the result of the election. The statement in the video is self explanatory, he states that the election is tomorrow and requests to vote. It was a calculative move of the first respondent to influence and gain votes at the last moment and thereby defeat the valid right of the election petitioner illegally.

7.4. Section 126-A (3) (b) of the RP Act states that electronic media includes internet, mobiles and such other devices, thus canvas on mobile using internet is also included and the same is also prohibited under section 126 of the RP Act. Further, 126-A(3)(d) of the RP Act states that dissemination includes display on electronic media. Thus Whatsapp canvass is also prohibited under the Act.

7.5. On 06-04-21 an FIR was registered by the T.R.Pattinam Police Station, Karaikal for the above alleged offences under sections 171 F, 188 of the Indian Penal Code in Crime No. 37/21 for releasing video on social media on 05-04-2021 at about 18.00 Hrs. influencing calculatedly the voters to vote in his favour by his audio statement and succeeded in the election. Thus, a *prima facie* case has been made out, as there is non-compliance of sub-clause (iv) of clause (d) of sub-section (1) of section 100 of the Act which is the subject matter of trial for non-compliance of section 39A and section 126-A of the Act or the MCC.

7.6. The first respondent has made emotional blackmail and induced the voters during prohibited hours with a statement intended and calculated as explained in sections 126(3) of the RP Act to influence or affect the result of an election.

7.7. The learned Counsel for the respondent/election petitioner, in support of his contentions, has placed reliance on the decision in Mohinder Singh Gill and another v. Chief Election Commissioner, New Delhi and Others [AIR 1978 SC 851].

8. Mr. P.V.Balasubramaniam, learned Senior Counsel appearing for the first respondent has filed his written submissions, wherein it has been stated as under:

8.1. The allegations in the Election Petition does not contain violation of any of the provision of Representation of the Peoples Act, 1951 and Model Code of Conduct and therefore, the Election petition does not disclose any cause of action and therefore, the same deserves to be rejected in limine. In this regard relied on the judgments in Madiraju Venkata Ramana Raju vs Peddireddigari Ramachandra Reddy [(2018) 14 SCC 1] and Samar Singh Vs. Kedar Nath [AIR 1987 SC 1926].

8.2. Section 126 of the Representation of the Peoples Act pertains to Prohibition of “public meetings” during the period of forty-eight hours ending with hour fixed for conclusion of poll. Sub-clause 1(b) of the said provision prohibits a person from displaying to the public any election matter by means of cinematograph, television or other similar apparatus. The use of words “other similar apparatus” makes it explicit that the said expression refers to those apparatus having broadcasting features similar to that of cinematograph and television that could be displayed to the public gathering. In the instant case, it is alleged that canvassing was made during prohibited hours by circulation of Whatsapp message. The “Whatsapp” is online medium having messenger service features that facilitates

digital communication between individuals and the same, unlike television and cinematograph, does not have broadcasting features to be displayed to the public gathering. Therefore, Whatsapp does not fall within the ambit of phrase “other similar apparatus” and further, there is no public meeting in the instant case. Consequently, the said allegation of canvassing during prohibited hours by circulation of Whatsapp message to individuals does not attract section 126 of the said Act.

8.3. The prohibition contained under section 126 of the RP Act does not include mobile outreach campaign and same could be evidenced from the Report of the Committee constituted to examine section 126 of the Representation of the Peoples Act, 1951 and other related provisions submitted on 10-01-2019. The said Committee was constituted to study on the new forms of communication technology and different forms of campaigning including online campaigning and mobile outreach campaigning and to bring the same within the ambit of section 126. The said Committee recommends the inclusion of both print, electronic media and intermediaries within the scope of section 126 and for the said purpose, the Committee proposed the following Amendments in the text of section 126 of the RP Act 1951 as follows:-

“126 (1) No person shall...

(a) ...

(b) publish, publicise or disseminate any election matter by means of print or electronic media or through intermediaries or through any other means ; or

...

(c) “electronic media” includes internet, radio and television, including internet Protocol Television, satellite terrestrial or cable channels, or internet/digital versions of print media, mobile and such other media either owned by the Government or private persons by both;

8.4. It is relevant to mention that the above-mentioned amendment proposed by the Committee never got implemented and section 126 does not undergo any amendment to include the “mobile outreach campaign” within its ambit.

8.5. The allegations in the election petition does not contain any violation of the Model Code of Conduct [MCC] and even the Model Code of Conduct does not have any statutory force. The relevant clause in the Model Code of Conduct applicable to the present case is extracted hereunder :

“(4) All parties and candidates shall avoid the scrupulously all activities which are “corrupt practices” and offences under the election law, such as bribing of voters, intimidation of voters, impersonation of voters, canvassing within 100 metres of polling stations, holding public meetings during the period of 48 hours ending with the hour fixed for close of poll, and the transport and conveyance of voters to and from polling station.”

8.6. There are no “public meetings” in the instant case and therefore, the allegation contained in the Election petition does attract the rigours of the said clause. Further, MCC does not carry statutory force to fall within the ambit of the section 100(1)(d)(iv) of RP Act and therefore, an Election cannot be set aside on the ground of Violation of MCC. Any infraction of the same can only be brought to the notice of Election Commission for appropriate action against the candidate or Political Party. In this regard relied on the judgment in Bashiruddin Halhipparga vs Rajashekhar Basavaraj Patil and others [AIR 2004 Kant 471].

8.7. Sections 39A and 126-A of the RP Act has no relevance to the instant case. Section 39A pertains to restrictions on Election Commission, Cable operators and Electronic media concerning equitable sharing of timing for propagation of election matter. The word “Electronic Media” is defined under Explanation to the said section as follows:-

126-A (3)(b) “electronic media” includes radio and any other broadcasting media notified by the Central Government in the Official Gazette;”

Section 126-A pertains to restrictions concerning Exit polls. Both the above-mentioned sections have no relevance to the present instant case, where allegations pertain to canvassing through Whatsapp message.

9. This Court has anxiously considered the rival submissions and also perused the entire materials available on record.

10. The election petitioner has filed the election petition under Sections 100(1)(b), 100 (1)(d)(ii) & (iv) of the RP Act, to declare the election to be void on the ground of corrupt practice under section 123(2) and (4) of the RP Act.

11. Even though issues have been framed by this Court, the prime issue to be decided is whether the election petition is maintainable to attract sections 123(2) and (4) of the RP Act?

12. Section 123 of the Representation of the Peoples Act, 1951, elaborately deals with Corrupt Practices, more particularly sections 123(2) and 123(4) of the RP Act reads as under:

“123. Corrupt Practices:- The following shall be deemed to be corrupt practices for the purposes of this Act:-

(2) Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of the candidate or his agent, or of any other person with the consent of the candidate or his election agent, with the free exercise of any electoral right:

....

(4) The publication by a candidate or his agent or by any other person with the consent of a candidate or his election agent, of any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate or in relation to the candidature, or withdrawal of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election.”

Section 123(2) of the RP Act enumerates the instances which constitute undue influence. In order to attract section 123(2) of the RP Act, there should be some act of influencing mental element causing pleasure or tyranny in the mind of candidate or voter. There must exist a direct or indirect interference or attempt to interfere on the part of the candidate or his agent, or of any other person, with the free exercise of any electoral right.

13. The primordial contention of the election petitioner is that the statement of the applicant circulated in the Whatsapp video attracts corrupt practice in terms of section 123(2) and the same is a ground for declaring the election as void under section 100 of RP Act. According to the respondent, for the alleged circulation of whatsapp video during prohibited hours a complaint was lodged and an FIR was registered by the T.R.Pattinam Police Station in Crime No. 37 of 2021 for the offences under sections 171F and 188 of the Indian Penal Code.

14. The first respondent, in his Whatsapp statement circulated, has stated that he has been threatened by the ruling party by using their high financial and official position and he was made to hide and he was helpless. The first respondent also stated that as a last resort, he is believing on god and the people and if, the people did not vote for him and safeguard him, the end consequences would be different. The Whatsapp video message circulated by the first respondent would also disclose as if he was under life threat and his only last belief is on the voters and god and therefore, requested the public to vote for him; otherwise his life would be under peril. A perusal of the aforesaid Whatsapp statement circulated by the applicant would disclose that those words were uttered to gain emotional sympathy from voters and the same does not in any way comes under the ambit of section 123 of the RP Act.

15. The said video statement circulated through Whatsapp has been extracted in para 2.5 above. The print out of the screen shot of the video sent through Whatsapp was marked as Ex.P5 and the typed version of the content of the video was marked as Ex.P6. The first respondent has specifically denied the allegation of circulating a video within 48 hours prior to the election. He has also stated that he has not seen the video and also not aware of its contents and he came to know about the existence of the video only when the lawyer informed him about it and only after serving of notice by the ECI.

16. According to the election petitioner, a notice has been served to the first respondent by the Election Officer on 05-04-2021, for which he has sent a reply, dated 06-04-2021 which has been marked as Ex.C1, wherein it was stated that the video with voice was recorded one week before for his personal use and that video has been leaked without his knowledge in the whatsapp and the original video has been manipulated and tampered and has been circulated in the whatsapp cunningly and fraudulently by some miscreants. There is no evidence whether who has manipulated the said video statement. This Court has also gone through the video statement which has been circulated in the whatsapp.

17. The election petitioner has relied upon Model Code of Conduct wherein it has been clearly laid that circulation of messages in social media within 48 hours of election is strictly prohibited and as such, there is a clear violation of the Model Code of Conduct and the same would attract disqualification of the candidate

under section 123 of the RP Act and he has fairly agreed to seek his remedy before the competent forum. The fact remains that for the alleged circulation of whatsapp message, already a criminal complaint was preferred before the jurisdictional Police and the same was subsequently challenged by the first respondent/returned candidate and the same has been quashed. It is also not disputed that the petitioner is not a party to the aforesaid proceedings.

18. A perusal of the said video statement would disclose that there is no element of any undue influence would be caused in the mind of the voters and it is only a vague statement and it would not amount to any corrupt practice as envisaged under section 123 of the Representation of Peoples Act. The act of the first respondent is only a violation of the Model Code of Conduct for circulation of whatsapp video message during the prohibited 48 hours before election. There is no clear provision to attract section 123 of the RP Act, for any violation of the Model Code of Conduct. The Model Code of Conduct is still at the recommendatory stage and not notified as an amendment to the Act and it has no statutory backing. When such being the position, this Court cannot come to the aid of the election petitioner to declare the election petition as void on the ground of violation of the Model Code of Conduct.

19. In such circumstances, the Election Petition stands dismissed. It is open to the election petitioner, if permissible, to seek his remedy before the competent Court in accordance with law for the violation of the Model Code of Conduct.

20. With the above liberty, this Election Petition stands dismissed.

08-11-2024

Index : yes/no

Internet : yes

Jvm

List of witnesses

Witnesses examined on the side of Election Petitioner

PW.1 — Mr. V.M.C.S.Manoharan

PW.2 — Mr. N.Kalyanasundaram

PW.3 — Mr. Sundarajan

PW.4 — Mr. Karthikeyan

PW.5 — Mr. Murugesan

List of Documents marked on the side of Election Petitioner

Exhibits	Details	Date
(1)	(2)	(3)
Ex.P1	Letter No. 51011/3/2021/DPAR/SS-I(1), issued by Government of Puducherry, Department of Personnel and Administrative Reforms (Personnel Wing).	05-03-2021
Ex.P2	Affidavit filed by the candidate along with Nomination paper before the Returning Officer.	17-03-2021

(1)	(2)	(3)
Ex.P3	11th respondent order under section 144 Cr.PC., issued regarding the prohibition election campaigning- M.C.No. DCK/A1/2020-21.	03-04-2024
Ex.P4	Compact Disc of the canvassing video circulated by the 1st respondent through Whatsapp and Facebook groups.	05-04-2021
Ex.P5	Screenshot of Whatsapp Video circulated in Whatsapp group "VTS Vegetables".	
Ex.P6	Contents of the statement in the video circulated by the 1st respondent.	
Ex.P7	Complaint of the petitioner's party given to the 11th respondent against the 1st respondent	05-04-2021
Ex.P8	Certified copy of FIR	05-04-2021
Ex.P9	Complaint given by the petitioner to the 11th respondent to withhold the election result of the 1st respondent, after polling day.	07-04-2021
Ex.P10	Results published on ECI website showing the votes obtained by each candidate at Neravy - T.R. Pattinam.	02-05-2021
Ex.P11	Extract of the Newspaper Dinathanthi daily declaring the 1st respondent as returned candidate at Neravy - T.R. Pattinam constituency.	03-05-2021
Ex.P12	Representation given by the petitioner to the 11th respondent and copy made to the 9th and 10th respondent.	26-05-2021
Ex.P13	Proof of Acknowledgments to the Official respondents.	31-05-2021
Ex.P14	Affidavit filed under section 65 of the Evidence Act	01-06-2021
Ex.P15	ECI instructions on canvass through Social Media	25-10-2013
Ex.P16	Lava Mobile Phone	

On the side of respondent

RW.1 — Mr. M.Nagathiyagarajan

Court side witness

CW.1 — Dr. D.Manikandan

Court side documents

Exhibits	Details	Date
(1)	(2)	(3)
Ex.C1	Reply submitted by the first respondent to the Member-Secretary, District Level Media Certification and Monitoring Committee- Karaikal.	06-04-2021

(1)	(2)	(3)
Ex.C2	Order No. 03 DL/MCMC/KKL/202 of the Chairman DL-MCML, Karaikal District.	06-04-2021
Ex.C3	Order passed by the District Collector	26-04-2021

08-11-2024

D. KRISHNAKUMAR, J.,

Jvm

Order in

Election Petition No. 1 of 2021

08-11-2024