



WEB COPY



W.P.No.17669 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.17669 of 2026
and W.M.P.No.18990 of 2026

S.Gnanamoorthy
S/o.Shanmugam
No.37, Ambedkar Illam
Bagurpet, Bagur Post
Puducherry-607 407

Petitioner

Vs

- 1.The Union Of India
Rep. by its secretary to Government
Election Commission of India
Nirvachan Sadan
New Delhi-110 001
- 2.The Chief Election Commissioner
Election Commission of India
Nirvachan Sadan
Ashoka Road,
New Delhi-110 001
- 3.The Chief Electoral Officer
Puducherry-605 001



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4.The District Election Officer
cum District Collector and
Returning Officer
Reddiyar-palayam
Puducherry-605001

5.The Returning Officer (RO)
Bagur Assembly Constituency
Puducherry-605 001

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondent 5 to permit the petitioner to cast his vote through post for the Bagur Assembly Constituency, Puducherry prior to the date of declaration of election results of Puducherry being 4.5.2026.

For Petitioner: Mr.S.A.Secular

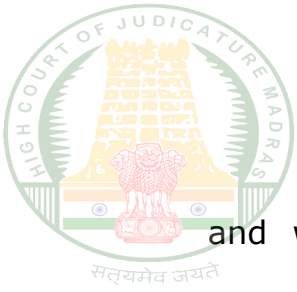
For Respondents: Mr.Niranjana Rajagopalan
Standing Counsel

ORDER

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

This writ petition filed under Article 226 of the Constitution of India seeks a direction to respondent No.5 to permit the petitioner to cast his vote through post for Bagur Assembly Constituency, Puducherry prior to the declaration of election results on 4.5.2026.

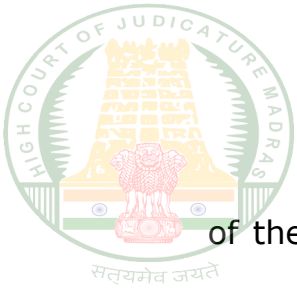
2. The grievance of the petitioner is that he met with an accident



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and was bedridden. Due to his health condition, the petitioner expressed his interest to cast his vote from home/through post for Puducherry Assembly Elections, 2026, scheduled on 9.4.2026. In this regard, the petitioner has also submitted a representation on 20.3.2026 to the respondents requesting to provide him opportunity to cast vote from home or through post. On the date of voting though the petitioner received a phone call from the fifth respondent and a woman officer on election duty informed him that the Assistant Election Officer would visit his house to enable the petitioner cast vote, no one turned up in spite of long wait. Immediately, the petitioner contacted the office of the fifth respondent and he was informed that a vehicle would be arranged to take him to election booth to enable him to cast vote. Though the petitioner waited for long, no one turned up and, finally, the petitioner was not able to cast his vote and not able to discharge his democratic duty. After election also, the petitioner submitted a representation on 13.4.2026 to respondents 3 to 5 to permit him to cast vote from home through post and the said representation did not evoke any response till date. Hence, the writ petition.

3. Learned counsel for the petitioner submitted that it is the duty



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of the Election Commission of India to have effective control over the election officers/returning officers in order to provide opportunity to all eligible voters to cast their votes in order to ensure healthy democracy. Further, the motto of the Election Commission of India and the Constitution of India and the Supreme Court of India is to allow as many citizens as possible to take part in the election process. However, in the case at hand, despite the petitioner's best efforts to cast his vote, he was not able to discharge his democratic duty. He added that since the counting is scheduled to be held on 4.5.2026, the petitioner may be permitted to cast his vote through post.

4. Though the petitioner claims to have sent a request to the authorities prior to election and asserts that he received a phone call asking him to wait, there is nothing on record to prove the same. The petitioner has not even chosen to file an acknowledgment of the representation sent by him. The representation sent subsequent to the polling date is also without any acknowledgment.

5. The election for the entire Assembly Constituencies in the Union Territory of Puducherry was held on 9.4.2026 and the declaration of results is scheduled on 4.5.2026. Once the election is



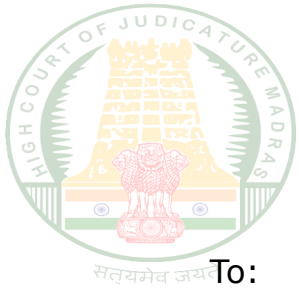
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over, exercising jurisdiction under Article 226 of the Constitution of India, no relief, much less the prayer as sought by the petitioner in this writ petition, can be granted.

Accordingly, the writ petition is dismissed. No costs.
Consequently connected miscellaneous petition is closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
30.04.2026

Index : Yes/No
Neutral Citation : Yes/No
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