

**IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL/INHERENT JURISDICTION**

Writ Petition (Criminal) No 455 of 2021

All India Trinamool Congress & Anr

... Petitioner(s)

Versus

State of Tripura & Ors

... Respondent(s)

WITH

Contempt Petition (Civil) No 884 of 2021

IN

Writ Petition (Criminal) No 455 of 2021

O R D E R

- 1 The subject matter of these proceedings, which were instituted under Article 32 of the Constitution of India, relates to the municipal elections in Tripura in the month of November 2021.
- 2 Apprehending acts of violence against the members of the first petitioner, the writ petition was instituted before this Court seeking diverse reliefs. Elections were held to one Municipal Corporation, thirteen Municipal Councils and six Nagar Panchayats.
- 3 During the pendency of the proceedings, this Court passed diverse orders on 11 November 2021, 23 November 2021 and 25 November 2021 with a view to ensure that the elections took place in a fair and orderly manner. The elections have taken place and the results have been notified.
- 4 During the course of the hearing, the Court was apprised of the fact that a petition under Article 226 of the Constitution, being Writ Petition (Civil) No 695 of

2021, was instituted before the High Court of Tripura.

- 5 The petition before the High Court raised similar issues pertaining to the then pending elections. In view of the fact that this Court had assumed jurisdiction, Writ Petition (Civil) No 695 of 2021 was disposed of as not pressed on 17 November 2021.
- 6 The primary purpose underlying the assumption of jurisdiction by this Court was to ensure that adequate arrangements were made for security and for facilitating the free exercise of electoral franchise during the municipal elections.
- 7 Since that the elections have been concluded, it would not be necessary for this Court to pursue these proceedings any further.
8. A contempt petition has been filed before this Court, being Contempt Petition No 884 of 2021, alleging a breach of the interim directions. During the pendency of the proceedings, diverse affidavits have been filed by the parties before this Court. The resolution of the issues which are raised in the contempt proceedings would require a detailed examination of facts and cannot be resolved on affidavits.
- 9 We are of the considered view that if any issues which were sought to be raised before the High Court still remain to be resolved, the petitioners may apply for revival of Writ Petition (Civil) No. 695 of 2021. In the event that such an application is made, the High Court would take an appropriate view of the matter if it is satisfied that there are subsisting issues which require its consideration.
- 10 In the event that the proceedings before the High Court are revived, all the rights and contentions of the parties are kept open.
- 11 For the above reasons, we do not keep the proceedings pending before this

Court and accordingly dispose of the Writ Petition and the Contempt Petition, granting liberty to the petitioners in the terms as noted above.

12 Pending applications, if any, stand disposed of.

.....J.
[Dr Dhananjaya Y Chandrachud]

.....J.
[Hima Kohli]

**New Delhi;
October 17, 2022**

- GKA -

ITEM NO.36

COURT NO.2

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Criminal) No(s). 455/2021

ALL INDIA TRINAMOOL CONGRESS & ANR.

Petitioner(s)

VERSUS

STATE OF TRIPURA & ORS.

Respondent(s)

(WITH IA No. 153898/2021 - APPROPRIATE ORDERS/DIRECTIONS IA No.153767/2021 - APPROPRIATE ORDERS/DIRECTIONS IA No. 153156/2021 - APPROPRIATE ORDERS/DIRECTIONS IA No. 141067/2021 - CLARIFICATION/DIRECTION IA No. 153771/2021 - EXEMPTION FROM FILING AFFIDAVIT IA No. 153766/2021 - INTERVENTION APPLICATION IA No. 153896/2021 - INTERVENTION/IMPLEADMENT IA No. 147121/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

CONMT.PET.(C) No. 884/2021 in W.P.(CrI.) No. 455/2021 (X)
 (FOR ADMISSION and IA No.150596/2021-APPROPRIATE ORDERS/DIRECTIONS.)

Date : 17-10-2022 These matters were called on for hearing today.

CORAM : HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
 HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. Gopal Shankarnarayanan, Adv.
 Mr. Rajat Sehgal, AOR
 Mr. Apoorv Khator, Adv.

For Respondent(s) Mr. Tushar Mehta, SG
 Mr. Shuvodeep Roy, AOR
 Mr. Kumar Arnav Singhdeo, Adv.

Mr. PV Surendranath, Sr. Adv.
 Mr. Subhash Chandran KR, Adv.
 Mr. Biju P Raman, AOR
 Ms. Krishna LR, Adv.
 Mr. Sawan Shukla, Adv.

UPON hearing the counsel the Court made the following
 O R D E R

1 The Writ Petition and the Contempt Petition are disposed of in terms of the

signed order.

- 2 Pending applications, if any, including intervention application(s) stand disposed of.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR

(Signed order is placed on the file)