

W.P.No.34815 of 2025



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2025

CORAM

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.34815 of 2025
and W.M.P.Nos.38984 and 38986 of 2025

Vaishnavi Jayakumar
D/o. Saranya,
Old 5/1 Venugopal Avenue,
Chetpet, Chennai-600 031.

Petitioner

VS

The Election Commission of India
Rep. by the Chief Election Commissioner,
Nirvachan Sadan, Ashok Road
New Delhi-110 001.

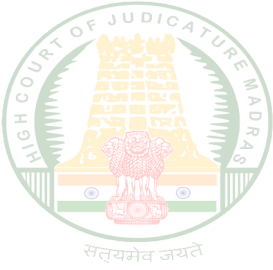
Respondent

For Petitioner:

Ms.Tanvi N.S.
for Mr.Yogeshwaran.A

For Respondent:

Mr.Niranjan Rajagopalan
Standing Counsel



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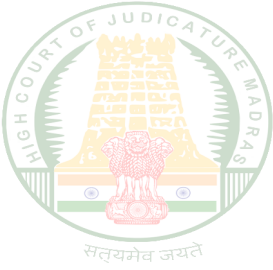
ORDER

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Heard.

2. Through this public interest litigation, the petitioner, who herself is a disabled person, has knocked the doors of justice seeking strict implementation of various statutory guidelines which have been framed by the Election Commission of India in order to ensure that persons with disabilities are not deprived of proper physical access, information access and transportation facilities towards effective exercise of their voting rights.

3. On *prima facie* consideration and on conjoint reading of provisions contained in Section 11 read with Sections 40, 41 and 42 of the Rights of Persons with Disabilities Act, 2016, we find that the respondent, in the matter of conduct of election, is statutorily obliged to ensure accessibility in the spirit of the provisions contained in the Act.



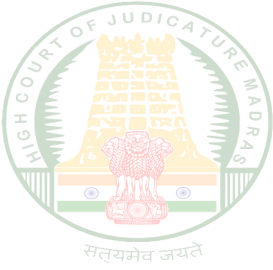
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4. The grievance, as ventilated, is that even though guidelines have been framed, there is no strict implementation of the same. Various instances have also been placed on record.

5. Ms.Tanvi, learned counsel for the petitioner, would submit that the Government of India has empaneled accessibility auditors. However, it is the allegation of the petitioner that the services, as envisaged under the law, are falling short of the statutory scheme and the guidelines framed by the Election Commission of India.

6. Mr.Niranjan Rajagopalan, learned counsel appearing for the Election Commission of India, takes notice and is granted four weeks time to file its response. It shall clearly state and also place before the court, material, if any, collected by the Election Commission of India, based on audit conducted through its own agencies in the matter of providing necessary accessibility to persons with disabilities.



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7. It goes without saying that the guidelines issued by the Election Commission of India, in the matter of providing proper access to disabled persons towards exercise of their right of voting, are to be strictly complied with and there should not be any exception to this.

List the matter on 23.10.2025.

(MANINDRA MOHAN SHRIVASTAVA,CJ) (G.ARUL MURUGAN,J)
16.09.2025

sasi

To

The Chief Election Commissioner,
Election Commission of India
Nirvachan Sadan, Ashok Road
New Delhi 110 001