



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 31293 of 2019
and
W.M.P. No. 31440 of 2019

Dr.T. Senthamilpari

... Petitioner

Vs.

1. The President,
Indian Medical Association,
Tamil Nadu State Branch,
I.M.A. State Headquarters Building,
Doctors Colony, Mudichur Road,
Tambaram West, Chennai - 600 045.
2. The Chairman,
Election Commission,
Indian Medical Association,
Tamil Nadu State Branch,
Sri Ragavendra Eye Hospital,
72, Mosuvanna Street,
Erode - 638 001.
3. The Returning Officer,
Indian Medical Association,
Tamil Nadu State Branch,
I.M.A. State Headquarters Building,
Doctors Colony, Mudichur Road,
Tambaram West, Chennai - 600 045.
4. Dr.R. Palaniswamy,
State President, Elect - 2021,
I.M.A. C.G.P Faculty Secretary,
N.R.P. Hospitals,
Sundarapuram, Coimbatore - 641 024.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Declaration, to declare the election for the post of President Elect - 2021 conducted based on Notification dated July 2019 as null and void and consequently directing the Respondents to conduct fresh election for the Post



of State President Elect - 2021 under the supervision of a retired Judicial Officer or any other competent authority after completing the updation of voters and in rectification of lacunae in the election process and other attendant benefits.

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For Petitioner : Mr. G. Sankaran

O R D E R

Since the First Respondent is not 'State' under Article 12 of the Constitution of India and as such, the Writ Petition could not be maintained, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to pursue appropriate remedies before the jurisdictional Civil Court in the manner recognized by law. He has also made an endorsement to that effect, which is recorded.

2. Writ Petition stands dismissed as withdrawn granting such liberty. Consequently, the connected writ miscellaneous petition is closed. No costs.

-s/d-

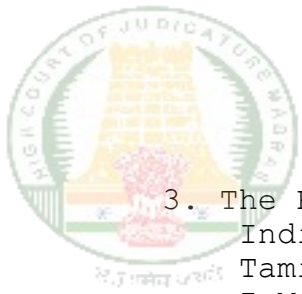
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The President,
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W.P. No. 31293 of 2019

RR(CO)
SP(21/01/2020)