

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2020

CORAM

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

W.P. No. 672 of 2020
and
W.M.P. No. 798 of 2020

T. Shanmuga Vadivel

... Petitioner

-vs-

1.The State Election Commissioner,
Local Body Election,
100 Feet Road, Opposite : Koyambedu Bus Stand,
Koyambedu, Chennai.

2.The Returning Officer /
Block Development Officer, (B.Pt)
Pollachi South Panchayat Union,
Pollachi - 1, Coimbatore District.

3. Kannimuthu

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First Respondent to conduct enquiry and direct the Second Respondent to recount the ballot papers along with CCTV footage for the election conducted on 02.01.2020 for the post of Village Panchayat President in the Naickenpalayam Village Panchayat, Pollachi South Panchayat Union, Coimbatore District and declare the result.

For Petitioner : Mr. C. Prakasam

For Respondents: Mr. AR.L. Sundaresan,
Senior Counsel assisted by
Mr. B. Nedunchezhiyan,
Learned Standing Counsel (for R1)

Mr. V. Jayaprakash Narayanan,
Government Pleader
(for R2)

O R D E R

Mr. AR.L. Sundaresan, Learned Senior Counsel assisted by Mr. B. Nedunchezhiyan, Learned Standing Counsel takes notice for the First Respondent, Mr. V. Jayaprakash Narayanan, Learned Government Pleader takes notice for the Second Respondent.

2. When it is pointed out by the Learned Senior Counsel appearing for the First Respondent that the Petitioner has got an effective alternative remedy by way of election petition under Section 258 of the Tamil Nadu Panchayats Act, 1994, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort to the same and he has also made an endorsement to that effect, which is recorded.

3. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

dm

To

1.The State Election Commissioner,
Local Body Election,
100 Feet Road, Opposite : Koyambedu Bus Stand,
Koyambedu, Chennai.

2.The Returning Officer / सत्यमेव जयते
Block Development Officer, (B.Pt)
Pollachi South Panchayat Union,
Pollachi - 1, Coimbatore District.

+1cc to Mr.C. Prakasam, Advocate SR.No.7872

+1cc to Government Pleader SR.No.8643

W.P. No. 672 of 2020
and
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SSI (CO)
GMY (12/02/2020)