

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.01.2020
CORAM
THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU
W.P. No. 772 of 2020
and
W.M.P. No. 934 of 2020

G. Sathish

... Petitioner

-vs-

1. The Election Commissioner,
Tamil Nadu State Election Commission,
Jawaharlal Nehru Road,
Koyambedu,
Chennai - 600 106.
2. The District Collector,
Dharmapuri District,
Dharmapuri.
3. The Returning Officer/Block Development Officer,
Palacode Taluk,
Dharmapuri District.
4. Mathivanan

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondent authorities to produce the CCTV recording pertaining to counting process of Kujjarahalli Panchayat, Ammanimallapuram Village and Post, Palacode Taluk, Dharmapuri District and consequently direct the Respondent authorities to re-count the ballot papers pertaining to Kujjarahalli Panchayat, Ammanimallapuram Village and Post, Palacode Taluk, Dharmapuri District by taking into consideration only the ballot papers having serial numbers recorded on the ballot paper account under Rule 58(4)(a) and 64(2) of the Tamil Nadu Panchayat Election Rules, 1995.

For Petitioner : Mr. S. Thanka Sivan

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 and R3)

Mr. P. Rajesh (for R4)

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 and Third Respondents and Mr. P. Rajesh, Learned Counsel takes notice for the Fourth 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The Election Commissioner,
Tamil Nadu State Election Commission,
Jawaharlal Nehru Road,
Koyambedu,
Chennai - 600 106.
2. The District Collector,
Dharmapuri District,
Dharmapuri.

2/3

3. The Returning Officer/Block Development Officer,
Palacode Taluk,
Dharmapuri District.

+1cc to Government Pleader SR.NO. 3903
+1cc to Mr. P. Rajesh, Advocate sr.4449

W.P. No. 772 of 2020

nr 10/02/2020