

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2020

CORAM

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

W.P. No. 717 of 2020

and

W.M.P. Nos. 864, 867 and 874 of 2020

K. Sanjeevikumar

... Petitioner

-vs-

1. The Chief Election Commissioner,
Local Body Election Commission,
Head Office at No. 208/2, Jawaharlal Nehru Road,
(100 Feet Road), Vadapalani,
Chennai - 600 106.
2. The District Collector/The District Election Officer,
Perambalur,
Perambalur District.
3. The Returning Officer,
Perambalur Panchayat Union,
Perambalur,
Perambalur District.
4. Mohan
5. The Assistant Returning Officer,
Perambalur Panchayat Union,
Perambalur,
Perambalur District.
6. The Block Development Officer,
Perambalur Panchayat Union,
Perambalur Taluk,
Perambalur District.
7. K. Jayanthi Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the Third Respondent in his proceeding dated 02.01.2020 wherein refusal for re-counting of entire votes Keelakkarai Village Panchayat, Perambalur Taluk,

Perambalur District and consequential declaration of the Third Respondent dated 02.01.2020 wherein the Third Respondent has declared that the Seventh Respondent has won the election in the Keelakkarai Village Panchayat, Perambalur Taluk, Perambalur District and consequentially direct the Third Respondent to conduct the re-counting the entire votes for Keelakkarai Village Panchayat, Perambalur Taluk, Perambalur District.

For Petitioner : Mr. A. Ilaya Perumal

For Respondents: Mr. B. Nedunchezhiyan,
Standing Counsel (for R1)

Mr. V. Jayaprakash Narayanan,
Government Pleader (for R2, R3, R5 and R6)

O R D E R

Mr. B. Nedunchezhiyan, Learned Standing Counsel takes notice for the First Respondent and Mr. V. Jayaprakash Narayanan, Learned Government Pleader takes notice for the Second, Third, Fifth and Sixth Respondents.

2. When it is pointed out by the Learned Standing 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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 Petitions are closed. No costs.

सत्यमेव जयते Sd/-

Assistant Registrar (CS-III)

//True copy//

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Sub Assistant Registrar

vjt
To

1. The Chief Election Commissioner,
Local Body Election Commission,
Head Office at No. 208/2, Jawaharlal Nehru Road,
(100 Feet Road), Vadapalani,
Chennai - 600 106.

2. The District Collector/The District Election Officer,
Perambalur,
Perambalur District.

3. The Returning Officer,
Perambalur Panchayat Union,
Perambalur,
Perambalur District.

4. The Assistant Returning Officer,
Perambalur Panchayat Union,
Perambalur,
Perambalur District.

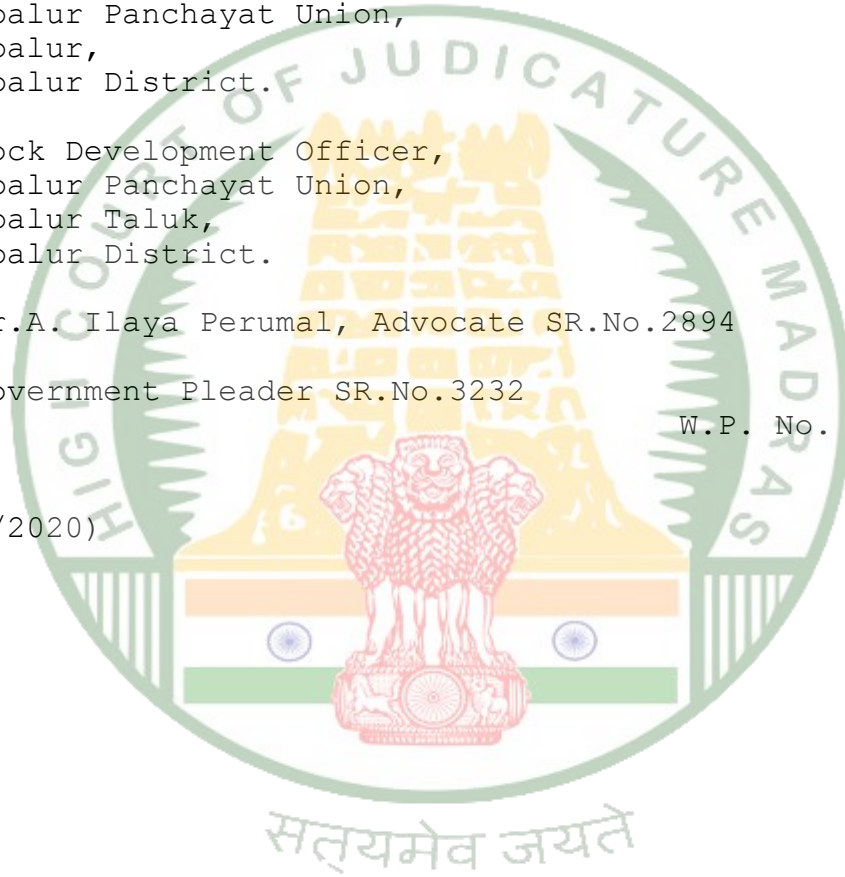
5. The Block Development Officer,
Perambalur Panchayat Union,
Perambalur Taluk,
Perambalur District.

+1cc to Mr.A. Ilaya Perumal, Advocate SR.No.2894

+1cc to Government Pleader SR.No.3232

W.P. No. 717 of 2020

VSN II (CO)
GMY (24/01/2020)



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