

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2020

CORAM

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

W.P. No. 819 of 2020
and
W.M.P. No. 987 of 2020

R. Vithyasakar

... Petitioner

-vs-

1. The State Election Commission,
Rep. by its Secretary,
No. 208/2, Jawaharlal Nehru Road,
Arumbakkam,
Chennai - 600 106.
2. The District Election Officer,
District Collector,
Cuddalore.
3. The Returning Officer,
Assistant Commissioner (Excise),
Kattumannarkoil Union,
Kattumannarkoil,
Cuddalore District.
4. P. Vijayaraghavan

5. A. Rachagar

... 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 re-count the votes polled in the Ward No. 5, Kattumannarkoil Union within the time fixed by this Court based on the representation dated 03.01.2020.

For Petitioner : Mr. R. Manoharan
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)

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 and Mr. V. Jayaprakash Narayanan, Learned Government Pleader takes notice for the Second and Third Respondents.

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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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 III)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
State Election Commission,
No. 208/2, Jawaharlal Nehru Road,
Opp. to CMBT, Arumbakkam,
Chennai - 600 106.

2. The District Election Officer,
District Collector,
Cuddalore.

3. The Returning Officer,
Assistant Commissioner (Excise),
Kattumannarkoil Union,
Kattumannarkoil,
Cuddalore District.

+lcc to Government Pleader SR.NO. 3904

W.P. No. 819 of 2020

rji(co)
nr 11/02/2020



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