

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2020

CORAM

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

W.P. No. 909 of 2020

and

W.M.P. Nos. 1128 and 1130 of 2020

V. Manoharan

... Petitioner

-vs-

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

2. The District Election Officer,  
Tiruvarur District.

3. The Returning Officer,  
For the post of Ward Member to  
5<sup>th</sup> Ward of Tiruvarur District Council,  
Tiruvarur.

4. A.N.R. Panneerselvam ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First to Third Respondents to re-count the votes in respect of the post of Ward Member to 5<sup>th</sup> Ward of Tiruvarur District Council within a reasonable time to be fixed by this Court.

For Petitioner : Mr. R. Neelakandan

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

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.

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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The Secretary,  
Tamil Nadu State Election Commission,  
No. 208/2, Jawaharlal Nehru Road,  
Opp. to CMBT,  
Arumbakkam,  
Chennai - 600 106.
2. The District Election Officer,  
Tiruvarur District.
3. The Returning Officer,  
For the post of Ward Member to  
5<sup>th</sup> Ward of Tiruvarur District Council,  
Tiruvarur.

+1cc to the Government Pleader, S.R.No. 10038

W.P. No. 909 of 2020

NR(CO)  
GN(21/02/2020)