

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2020

CORAM

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

W.P. No. 736 of 2020

and

W.M.P. Nos. 889 and 890 of 2020

K.Sivakumar

... Petitioner

-vs-

1. The Chief Election Commissioner,
Tamil Nadu State Election Commission,
Chennai.
2. The District Collector,
Erode.
3. The Election Officer,
Chennimalai Panchayat Union,
Erode.
4. The Block Development Officer,
Chennimalai Panchayat Union,
Perundurai Taluk,
Erode District.

5. Renuka Devi

... 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 pertaining to the election for the post of "Kuttapalayam Panchayat President" of Chennimalai Panchayat Union and quash the same and consequently direct the First to Fourth Respondents to re-count the votes in respect of the elections held for the post of "Kuttapalaym Panchayat President" of Chennimalai Panchayat Union, by considering the Petitioner's representation dated 04.01.2020.

For Petitioner : Mr. P. Valliappan

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 to 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 and Mr. V. Jayaprakash Narayanan, Learned Government Pleader takes notice for the Second to Fourth 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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 Petitions are closed. No costs.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

vjt

To

1. The Chief Election Commissioner,
Tamil Nadu State Election Commission,
Chennai.
2. The District Collector,
Erode.

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3. The Election Officer,
Chennimalai Panchayat Union,
Erode.

4. The Block Development Officer,
Chennimalai Panchayat Union,
Perundurai Taluk,
Erode District.

+lcc to Mr.P.Valliappan, Advocate, SR.No.3729.

+lcc to Government Pleader, SR.No.3907.

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JP (CO)
CSR:11.02.2020



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