

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2020

CORAM

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

W.P.NO.721 OF 2020

AND

W.M.P.NO.873 OF 2020

A.Munusamy

... Petitioner

-vs-

1. The Secretary,
Department of Rural Development cum Village Panchayats,
Fort St. George,
Kamarajar Salai,
Chennai - 600 009.
2. The Commissioner,
Tamil Nadu State Election Commission,
Jawaharlal Nehru Road,
Jai Nagar,
Koyambedu,
Chennai.
3. The District Election Officer,
Tiruvannamalai District.
4. The Election Officer/Assistant Returning Officer,
Panniyur Village,
Kelpennathur Taluk,
Tiruvannamalai District.

5. Swaminathan

... Respondents

Prayer:-

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Fourth Respondent herein to consider Petitioner's representation dated 04.01.2020 requesting to re-count the panchayat election votes and declare the result by scrutinizing the entire CCTV footages recorded at the time of counting process taken place at Panniyur Village, Kelpennathur Taluk, Tiruvannamalai District and declare the results based on the said outcome for the post of President.

For Petitioner : Mr.D.Thirumoorthy

For Respondents: Mr.V.Jayaprakash Narayanan,
Government Pleader
(for R1, R3 and R4)

Mr.AR.L.Sundaresan,
Senior Counsel assisted by
Mr.B.Nedunchezhiyan,
Learned Standing Counsel (for R2)

O R D E R

Mr.V.Jayaprakash Narayanan, Learned Government Pleader takes notice for the First, Third and Fourth Respondents Mr.AR.L.Sundaresan, Learned Senior Counsel assisted by Mr.B.Nedunchezhiyan, Learned Standing Counsel takes notice for the Second Respondent.

2. When it is pointed out by the Learned Senior Counsel appearing for the Second 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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(CO)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The Secretary,
Department of Rural Development cum Village Panchayats,
Fort St. George,
Kamarajar Salai,
Chennai - 600 009.

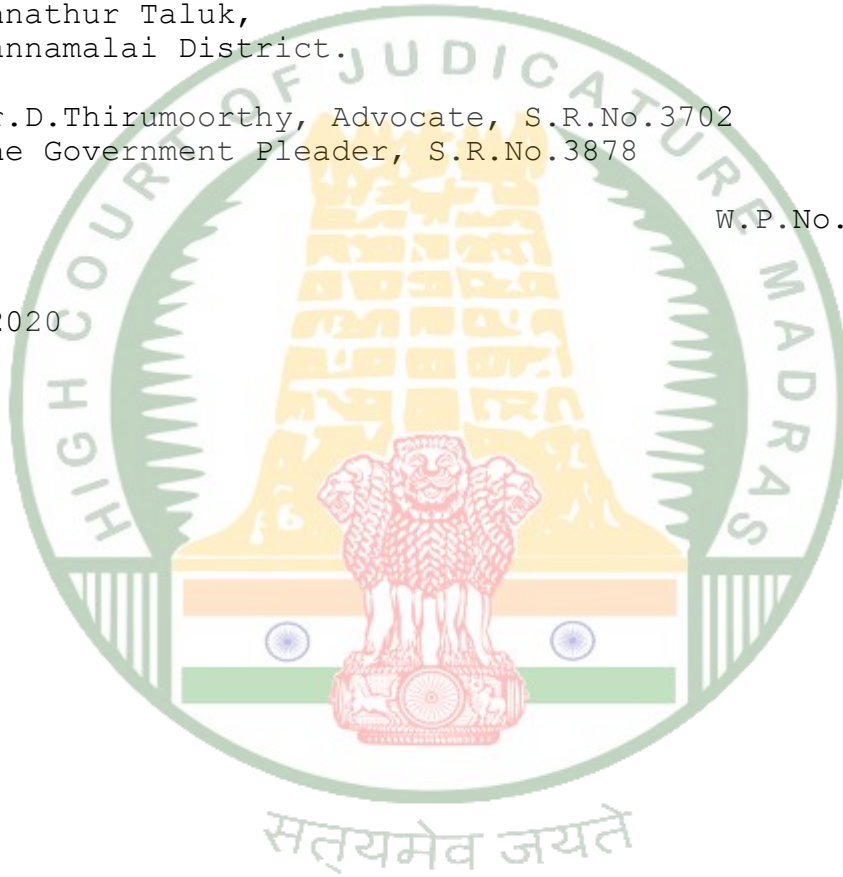
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2. The Commissioner,
Tamil Nadu State Election Commission,
Jawaharlal Nehru Road,
Jai Nagar,
Koyambedu,
Chennai.
3. The District Election Officer,
Tiruvannamalai District.
4. The Election Officer/Assistant Returning Officer,
Panniyur Village,
Kelpennathur Taluk,
Tiruvannamalai District.

+1cc to Mr.D.Thirumoorthy, Advocate, S.R.No.3702
+1cc to the Government Pleader, S.R.No.3878

W.P.No.721 of 2020

BS (CO)
CS/11/02/2020



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