

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2020

CORAM

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

W.P. No. 2648 of 2020

and

W.M.P. No. 3085 of 2020

G. Dhanalakshmi

... Petitioner

-vs-

1. The Tamil Nadu State Election Commission,
Rep. by its Commissioner,
Jawaharlal Nehru Road,
Jai Nagar, Koyambedu,
Chennai - 600 106.
2. The District Election Officer/The District Collector,
Dharmapuri District, Dharmapuri.
3. The Returning Officer,
Ward No. 16, Dharmapuri District Panchayat,
Harur Panchayat Union Office,
Harur, Dharmapuri District.
4. S. Sarala ... 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 recount the votes polled in the election held on 27.12.2019 in Ward No. 16 of the Dharmapuri District Panchayat.

For Petitioner : Mr. S. Vijayakumar

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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The Commissioner,
Tamil Nadu State Election Commission,
Jawaharlal Nehru Road,
Jai Nagar, Koyambedu,
Chennai - 600 106.
2. The District Election Officer/The District Collector,
Dharmapuri District, Dharmapuri.
3. The Returning Officer,
Ward No. 16, Dharmapuri District Panchayat,
Harur Panchayat Union Office,
Harur, Dharmapuri District.

+1cc to Mr.S.Vijay Kumar, Advocate, S.R.No. 9682
+1cc to the Government Pleader, S.R.No. 10051

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