

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2020

CORAM

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

W.P. No. 722 of 2020

P. Periyasamy

... Petitioner

-vs-

1. The State Election Commissioner,
Local Body Election,
100 Feet Road,
Opposite: Koyambedu Bus Stand,
Koyambedu,
Chennai.
2. The Returning Officer/Commissioner,
Block Development Officer, (B.Pt),
Kundadam Panchayat Union,
Kundadam,
Dharapuram Taluk,
Tiruppur District.
3. The Assistant Returning Officer,
Kundadam Panchayat Union,
Kundadam,
Dharapuram Taluk,
Tiruppur District.

4. Easwaran

.. 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 conduct enquiry and order for re-count the votes in so far relates to Sadayapalayam Village Panchayat President Election, Kundadam, Panchayat Union, Dharapuram Taluk, Tiruppur District.

For Petitioner : Mr. C. Prakasam

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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vjt

To

1. The State Election Commissioner,
Local Body Election,
100 Feet Road,
Opposite: Koyambedu Bus Stand,
Koyambedu,
Chennai.

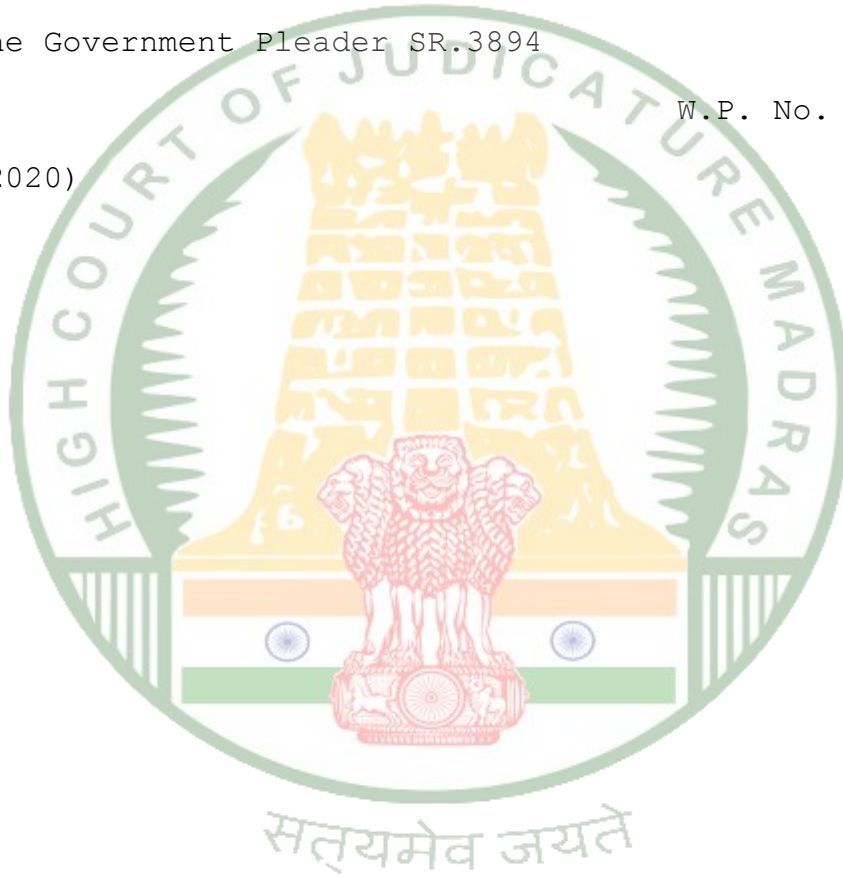
2. The Returning Officer/Commissioner,
Block Development Officer, (B.Pt),
Kundadam Panchayat Union,
Kundadam,
Dharapuram Taluk,
Tiruppur District.

3. The Assistant Returning Officer,
Kundadam Panchayat Union,
Kundadam,
Dharapuram Taluk,
Tiruppur District.

+lcc to the Government Pleader SR.3894

W.P. No. 722 of 2020

JP(CO)
CB(13/02/2020)



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