

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2020

CORAM

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

W.P. No. 1090 of 2020
and
W.M.P. No. 1293 of 2020

B. Ammasi

... 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 and District Collector,
Salem District,
Salem.
 3. The Returning Officer/Block Development Officer,
Salem Panchayat Union,
Salem District.
 4. Kuppusamy
- ... 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 polled votes for the post of Village Panchayat President of Sarkarkollapatty Village Panchayat, Salem Panchayat Union, Salem District in the presence of the candidates and their agents with police protection and the entire counting process to be videographed and consequently direct the Third Respondent to declare the result of Village Panchayat President of Sarkarkollapatty Village Panchayat.

For Petitioner : Ms. R. Divya

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 she 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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(CS-III)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The Secretary,
Tamil Nadu State Election Commission,
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3. The Returning Officer/Block Development Officer,
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PP (CO)
CB (21/02/2020)



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