

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2020

CORAM

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

W.P. No. 1077 of 2020
and

W.M.P. Nos. 1280 and 1299 of 2020

R. Palanisamy

... 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 Tamil Nadu State Election Commission,
No. 208/2, Jawaharlal Nehru Road,
Opp. to CMBT, Arumbakkam,
Chennai - 600 106.
3. The District Collector cum District Election Officer,
Office of the Collectorate,
Cuddalore District,
Cuddalore.
4. K. Prabhakar
5. S. Thayanithi
- 6.R.Anburasan
- 7.R.Arivazhagan
- 8.S.Aarayi

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, directing the Fourth Respondent to call for the records pertaining to the impugned order of the proceedings in Na. Ka. No. A3/3615/2019 dated 02.01.2020 and quash the same and further direct the Fourth Respondent herein to follow the Tamil Nadu Panchayat Election Rules 52 and 66 and further direct the Fourth Respondent to re-count the postal ballot as well the 1905

tendered/rejected votes then declare the election result as per the Tamil Nadu Panchayat Election Rules.

For Petitioner : Mr. R. Rajamohan
For Respondents: Mr. AR.L. Sundaresan,
Senior Counsel assisted by
Mr. B. Nedunchezhiyan,
Learned Standing Counsel
(for R1 and R2)

Mr. V. Jayaprakash Narayanan,
Government Pleader (for 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 and Second Respondents and Mr. V. Jayaprakash Narayanan, Learned Government Pleader takes notice for the Third Respondent.

2. When it is pointed out by the Learned Senior Counsel appearing for the First and Second Respondents 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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 (CS-I)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The Secretary,
Tamil Nadu State Election Commission,
No. 208/2, Jawaharlal Nehru Road,
Opp. to CMBT, Arumbakkam,
Chennai - 600 106.

2. The District Collector cum District Election Officer,
Office of the Collectorate,
Cuddalore District,
Cuddalore.

+1cc to Mr.R.R.Rajamohan, Advocate, S.R.No. 4801

W.P. No. 1077 of 2020

BP (CO)
GN (11/02/2020)



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