

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2020

CORAM

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

W.P. No. 734 of 2020
and
W.M.P. No. 886 of 2020

A. Sharmila

... Petitioner

-vs-

1. State of Tamil Nadu,
Rep. by its Secretary,
Rural Development and Panchayat Raj Department,
Fort St. George,
Chennai - 600 009.
2. The Tamil Nadu State Election Commission,
Jawaharlal Road (100 Feet Road),
Koyambedu,
Chennai.
3. The District Collector,
Tiruvellore.
4. The Returning Officer (The Election Officer),
Block Development Officer,
Kadambathur Panchayat Union,
Tiruvellore District.
5. Janagi
6. Ganagaselvi

सत्यमेव जयते

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third Respondent to re-count the votes in respect of office of President of Kondencheri Village Panchayat in Kadambathur Panchayat Union of Tiruvellore District within a reasonable time to be fixed by this Court.

For Petitioner : Mr. J.R.K. Bhavanantham

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)

Mr. P. Wilson, Senior Counsel for
M/s. Wilson Associates (for R5)

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 and Mr. P. Wilson, Learned Senior Counsel takes notice for the Fifth 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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 (CS-III)

//True Copy//

Sub Assistant Registrar

Vjt

TO

1. The Secretary to the Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,
Fort St. George,
Chennai - 600 009.

2. The Secretary,
Tamil Nadu State Election Commission,
Jawaharlal Road (100 Feet Road),
Koyambedu,
Chennai.
3. The District Collector,
Tiruvellore.
4. The Returning Officer (The Election Officer),
Block Development Officer,
Kadambathur Panchayat Union,
Tiruvellore District.

+1cc to the Government Pleader, S.R.No. 3895

W.P. No. 734 of 2020

VSN II(CO)
GN(11/02/2020)



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