

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2020

CORAM

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

W.P. No. 1072 of 2020
and

W.M.P. No. 1281 of 2020

1. Sathyapriya
2. T.K. Murugan
3. Nithyananda
4. S. Vennila
5. P. Raju
6. M. Allirani
7. G. Tamilarasi
8. T. Amutha
9. S. Sathiyavani
10. M. Chandran
11. R. Hema

... Petitioners

-vs-

1. The State Election Commissioner,
Inner Ring Road,
Jai Nagar,
Koyambedu,
Chennai - 600 106.

2. The District Collector,
Fort Main Road,
Salem - 636 001.

3. The Returning Officer,
Pethanaickanpalayam Union,
Salem District.

WEB COPY

4. The Returning Officer,
Ayothiyapattanam Union,
Salem District.

5. The Returning Officer,
Veerapandi Union,
Salem District.

6. The Returning Officer,
Attur Union,
Salem District.

7. The Returning Officer,
Panamarathupatti Union,
Salem District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to conduct the fresh election or repolling or recounting of the Petitioner's Unions Pethanaikanpalayam Union 9th Ward, Ayothiyapattinam Union 15th Ward, Kalarampatty Union, Veerapandi Union 42nd Ward, Akkichettipalayam (Attur), Salem District Panchayat 21st Ward, Panamarathupatti Union 18th Ward, Thalaivasal Union 12th Ward and 15th Ward as per the Tamil Nadu Panchayat Election Rules, 1995, by considering the Petitioners representations dated 03.01.2020, 04.01.2020 and 06.01.2020.

For Petitioners: Mr. C. Kanagaraj

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 to R7)

O R D E R

When it is pointed out by the Learned Senior Counsel appearing for the First Respondent that the Petitioners have got an effective alternative remedy by way of election petition under Section 258 of the Tamil Nadu Panchayats Act, 1994, Learned Counsel for the Petitioners 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.

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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The State Election Commissioner,
Inner Ring Road,
Jai Nagar,
Koyambedu, Chennai - 600 106.
2. The District Collector,
Fort Main Road, Salem - 636 001.
3. The Returning Officer,
Pethanaickanpalayam Union,
Salem District.
4. The Returning Officer,
Ayothiyapattanam Union,
Salem District.
5. The Returning Officer,
Veerapandi Union, Salem District.
6. The Returning Officer,
Attur Union, Salem District.
7. The Returning Officer,
Panamarathupatti Union,
Salem District.

+1cc to Mrs.C.Kanagaraj Associates, Advocate Sr.9861
+1cc to the Government Pleader Sr.10039

W.P. No. 1072 of 2020

nr[co]
srg 21/02/2020