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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2020

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

W.P. No. 2182 of 2020

and

W.M.P. Nos. 2553 and 2555 of 2020

R. Sanmugam

... 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,
Dharmapuri District.
3. The Returning Officer,
For the post of Ward Member to
10th Ward of Karimangalam Panchayat Union Council
Dharmapuri District.

4.M.B. Selvaraj

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents First to Third to re-count the votes in respect of the post of Ward Member to 10th Ward of Karimangalam Panchayat Union Council, Dharmapuri District within a reasonable time to be fixed by this Court.

For Petitioner : Mr. P. Ganesan
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, 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, connected Miscellaneous Petitions are closed. No costs.

s/d-
Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

dm
To

1. The Secretary,
Tamil Nadu State Election Commission,
No.208/2, Jawaharlal Nehru Road,
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+1 CC to Govt. Pleader sr 8737

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JP (CO)
SP (14/02/2020)