

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2020

CORAM

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

W.P. No. 1597 of 2020

and

W.M.P. No. 1867 of 2020

R. Kottiraja

... Petitioner

-vs-

1. The State Election Commissioner,
Panchayat & Municipality,
Koyambedu,
Chennai - 600 107.
 2. The District Collector,
Thiruvallur District,
Thiruvallur.
 3. The Block Development Officer/Retaining Officer,
Ekadu Union,
Thiruvallur District.
 4. E. Srinivasan
- ... 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 consider the representation of the Petitioner dated 07.01.2020 in accordance with law and directing the Third Respondent to recounting the votes polled in Thottikalai Village Panchayat President Election held on 27.01.2019 except the Eleven votes polled in favour of the Fourth Respondent herein to secure the ends of justice.

For Petitioners: Mr. R. Sankarasubbu

For Respondents: Mr. AR.L. Sundaresn, Senior Counsel
assisted by
Mr. B. Nedunchezhiyan,
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 Narayan, 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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 Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

vjt
To

1. The State Election Commissioner,
Panchayat & Municipality,
Koyambedu,
Chennai - 600 107.
2. The District Collector,
Thiruvallur District,
Thiruvallur.
3. The Block Development Officer/Retaining Officer,
Ekadu Union,
Thiruvallur District.

+1cc to the Government Pleader SR.6221

W.P. No. 1597 of 2020

VSN-II (CO)
CB(12/02/2020)