

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.02.2020
CORAM
THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU
W.P. No. 4681 of 2020
and
W.M.P. No. 5533 of 2020

A.Muthukannu

... 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
Cuddalore District
Cuddalore.
3. The Returning Officer
For the election to the post of
Chairman of Nallur
Panchayat Union
Cuddalore District.
4. P.Jaishankar
5. S.A.Selvi

.... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Declaration, declaring the election to the post of Chairman of Nallur Panchayat Union in Cuddalore District held on 30.01.2020, as illegal and null and void; consequential direct the Respondents 1 and 2 to conduct the said election, by appointing another Returning Officer in the place of the Third Respondent, instead of Fourth Respondent, along with an observer to be appointed by the First Respondent with adequate police protection and video coverage throughout the entire process till the declaration of result and to ensure free and fair election by allowing all members of the entire Wards of the Panchayat Union to cast their votes by their own, without any interruption or interference by any one.

For Petitioner : Mr. R.Neelakandan

For Respondents: Mr. B.Neduchezhiyan (For R1)
Mr. V.Jayaprakash Narayanan
(For R2 & R3)
Government Pleader

O R D E R

Mr. B. Nedunchezhiyan, Learned Standing Counsel takes notice for the First Respondent and Mr. V. Jayaprakash Narayanan, Learned Government Pleader takes notice for the Second and Third Respondents.

2. When it is pointed out by the Learned Standing 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

may
To

1. The Secretary

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

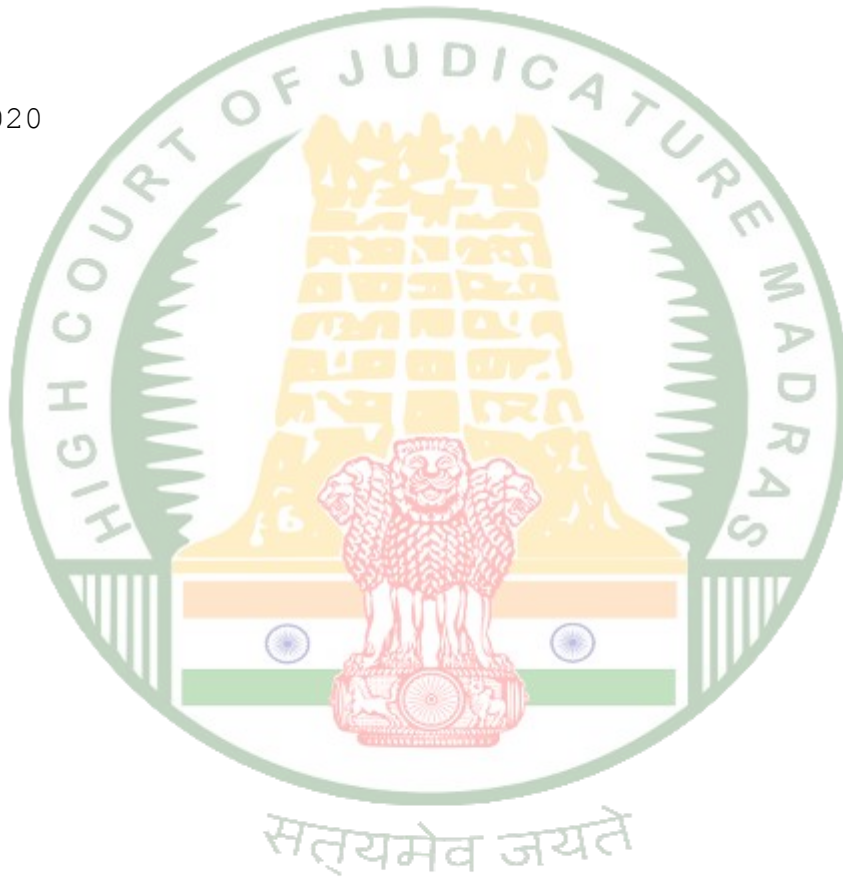
2. The District Election Officer
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3. The Returning Officer
For the election to the post of
Chairman of Nallur
Panchayat Union
Cuddalore District.

+1 cc to the Government Pleader sr16769
+1 cc to Mr.Neelakandan Advocate sr16527

W.P. No. 4681 of 2020

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