



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P (MD) No.184 of 2020

Jeyaraj

... Petitioner

Vs.

1.The Government of Tamil Nadu,
represented by
The Principal Secretary,
Department of Rural Development and Panchayat,
Fort St. George,
Chennai - 600 009.

2.The Tamil Nadu State Election Commission,
State Election Commission,
208/2, Jawaharlal Nehru Road, (100 Feet Road),
Arumbakkam,
Chennai - 600 106.

3.The District Collector,
Nagercoil,
Kanyakumari District.

4.The Commissioner,
Thadikarankonam Panchayat,
Thovalai Taluk,
Kanyakumari District.

5.The Inspector of Police,
Keeriparai Police Station,
Kanyakumari District.

6.Franklin

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the second respondent to disqualify the sixth respondent who contested for the post of President for Thadikarankonam Panchayat, Thovalai Taluk, Kanyakumari District, by suppressing the involvement of criminal cases pending against him on the basis of the petitioner's representation dated 16.12.2019.



For Petitioner : Mr.M.Sankar

For Respondents : Mr.K.Chellapandian
Additional Advocate General
assisted by

Mr.VR.Shanmuganathan
Special Government Pleader for R.1, R.3 to R.5

Mr.Raja Karthikeyan for R.2

ORDER

[Order of the Court was made by **M.DURAISWAMY, J.**]

The petitioner has filed the above writ petition to issue a writ of mandamus directing the second respondent to disqualify the sixth respondent who contested for the post of President for Thadikarankonam Panchayat, Thovalai Taluk, Kanyakumari District, by suppressing the involvement of criminal cases pending against him on the basis of the petitioner's representation dated 16.12.2019.

2. So far as the relief sought for in the writ petition is concerned, the petitioner has got alternative remedy by way of an election petition under Section 258 of the Tamil Nadu Panchayats Act, 1994. Without exhausting the same, the petitioner filed the writ petition seeking for the said relief, which cannot be entertained by this Court.

3. In such view of the matter, we are not inclined to entertain the writ petition. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Principal Secretary,
Government of Tamil Nadu,
Department of Rural Development and Panchayat,
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Keeriparai Police Station,
Kanyakumari District.

+1 CC to M/s.SPL.GP (SR-971 & 1051[F] 09/01/2020)

+1 CC to M/s.M.SANKAR, Advocate (SR-575[F] dated 07/01/2020)

W.P (MD) No.184 of 2020

07.01.2020

KG (CO)
TR(22.01.2020) 3P 8C