



WEB COPY

W.P(MD)No.225 of 2020

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.225 of 2020

and

W.M.P(MD)No.138 of 2020

S.Nagarani

... Petitioner

Vs.

1.The Secretary,
The Tamil Nadu State Election Commission,
Jawaharlal Nehru Road,
Koyambedu,
Chennai - 600 106.

2.The District Collector,
Ramanathapuram District,
Ramanathapuram.

3.The Election Officer /
The Block Development Officer,
Kamuthi Block Office,
Kamuthi.

4.A.Devaki

5.K.Ravi
The Election Officer /
The Block Development Officer,
Kamuthi Block Office,
Kamuthi.
Ramanathapuram District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration to declare the declaration of the result of election in Form 25 dated 02.01.2020 issued by the third respondent in favour of the fourth respondent elected as President of T.Punavasal Village Panchayat, Kamuthi Panchayat Union, Ramanathapuram District, as illegal, arbitrary and fraudulent and consequently, direct the third respondent to declare the petitioner as elected candidate to the post of President of T.Punavasal Village Panchayat, Kamuthi Panchayat Union, Ramanathapuram District.



WEB COPY

WP(MD)No.225 of 2020

For Petitioner : Mr.B.Saravanan
For Respondents : Mr.Raja Karthikeyan for R.1
Mr.K.Chellapandian
Additional Advocate General
assisted by
Mr.VR.Shanmuganathan
Special Government Pleader
for R.2 & R.3

* * * * *

ORDER

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

The petitioner has filed the above writ petition to issue a Writ of Declaration to declare the declaration of the result of election in Form 25 dated 02.01.2020 issued by the third respondent in favour of the fourth respondent elected as President of T.Punavasal Village Panchayat, Kamuthi Panchayat Union, Ramanathapuram District, as illegal, arbitrary and fraudulent and consequently, direct the third respondent to declare the petitioner as elected candidate to the post of President of T.Punavasal Village Panchayat, Kamuthi Panchayat Union, Ramanathapuram District.

2. Since the petitioner has filed the writ petition without exhausting the alternative remedy available to her under Section 258 of the Tamil Nadu Panchayats Act, 1994, the writ petition cannot be entertained. That apart, the issues involved in the present writ petition are matter for evidence and the same cannot be decided in this writ petition.

3. In such view of the matter, we are not inclined to entertain this writ petition. Accordingly, this writ petition is dismissed. No costs. Consequently, the connected writ miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

1.The Secretary,
The Tamil Nadu State Election Commission,
Jawaharlal Nehru Road,
Koyambedu,
Chennai - 600 106.

2.The District Collector,
Ramanathapuram District,
Ramanathapuram.

3.The Election Officer /
The Block Development Officer,
Kamuthi Block Office,
Kamuthi.

+1 CC to SPL.GP (SR-978[F] dated 09/01/2020)

+1 CC to Mr.RAJA,KARTHIKEYAN, Advocate (SR-1067[F]dated
09/01/2020)

W. P (MD) No. 225 of 2020

and

W. M. P (MD) No. 138 of 2020

07.01.2020

VB(22.01.2020) 3P 6C