



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**  
DATED : 06.01.2020  
CORAM

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY**  
**AND**  
**THE HONOURABLE MR.JUSTICE T.RAVINDRAN**

**W.P(MD)No.253 of 2020**  
**and**  
**W.M.P(MD)No.169 of 2020**

M.Malaiselvi ... Petitioner  
Vs.

- 1.The State of Tamil Nadu,  
represented by  
The Election Commissioner,  
Jawaharlal Nehru Road,  
Jai Nagar,  
Koyambedu,  
Chennai - 600 106.
- 2.The District Election Officer - cum - District Collector,  
Virudhunagar District,  
Virudhunagar.
- 3.The Assistant Director of Panchayats/Returning Officer,  
Rural Development Office,  
Virudhunagar District.
- 4.The Assistant Election Officer - cum - Block Development Officer,  
Narikudi Panchayat Union,  
Narikudi,  
Virudhunagar District.
- 5.The Inspector of Police,  
Thiruchuli Police Station,  
Virudhunagar District.
- 6.Pandialakshmi ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to recount the votes for the post of Panchayat President in Sethupuram Village, Narikudi Taluk, Virudhunagar District, based on the petitioner's representation dated 03.01.2020 within the time stipulated by this Court.



WEB COPY

For Petitioner : Mr.J.Senthil Kumar  
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 to R.5

**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 respondents to recount the votes for the post of Panchayat President in Sethupuram Village, Narikudi Taluk, Virudhunagar District, based on the petitioner's representation dated 03.01.2020.

2. The petitioner has filed the writ petition without exhausting alternative remedy available to her under under Section 258 of the Tamil Nadu Panchayats Act, 1994.

3. Since the petitioner has not exhausted alternative remedy and filed the writ petition directly, we are not inclined to entertain the writ petition. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS )

ssl

To

1.The Election Commissioner,  
State of Tamil Nadu,  
Jawaharlal Nehru Road,  
Jai Nagar,  
Koyambedu,  
Chennai - 600 106.



2.The District Election Officer - cum - District Collector,  
Virudhunagar District,  
Virudhunagar.

3.The Assistant Director of Panchayats/Returning Officer,  
Rural Development Office,  
Virudhunagar District.

4.The Assistant Election Officer - cum - Block Development Officer,  
Narikudi Panchayat Union,  
Narikudi,  
Virudhunagar District.

5.The Inspector of Police,  
Thiruchuli Police Station,  
Virudhunagar District.

+1 CC to Mr.RAJA.KARTHIKEYAN, Advocate ( SR-625[F] dated  
07/01/2020 )

+1 CC to SPL.GP ( SR-715[F] dated 08/01/2020 )

+1 CC to Mr.J.SENTHILKUMAR, Advocate ( SR-783[F] dated 08/01/2020 )

**W.P (MD) No.253 of 2020**

**and**

**W.M.P (MD) No.169 of 2020**

**06.01.2020**

MK (22.01.2020) 3P 9C