



WEB COPY

W.P(MD)No.235 of 2020

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.235 of 2020

and

W.M.P(MD)No.147 of 2020

M.Ramadevi

... Petitioner

Vs.

1.The State Chief Election Officer,
State Election Commission,
Government of Tamil Nadu,
Jawaharlal Nehru Road,
Jai Nagar,Koyambedu,
Chennai.

2.The District Election Officer / District Collector,
Dindigul District.

3.The Election Officer /
Block Development Officer (Village Panchayat),
Batlagundu,
Dindigul District.

4.Parameswari

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents 1 to 3 to recount the votes for the Post of Councillor of Ward No.1, Batlagundu Union Council, Dindigul District, based on the petitioner's representation dated 02.01.2020 within the time frame as fixed by this Court.

For Petitioner : Mr.V.Selva

For Respondents : Mr.Raja Karthikeyan for R.1

Mr.K.Chellapandian

Additional Advocate General

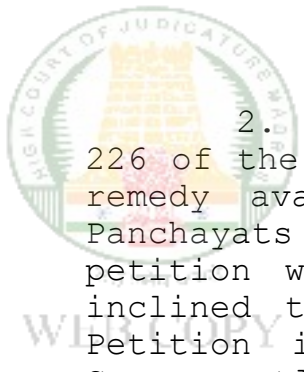
assisted by Mr.VR.Shanmuganathan

Special Government Pleader for R.2 & R.3

ORDER

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

The petitioner has filed the above writ petition to issue a writ of mandamus directing the respondents 1 to 3 to recount the votes for the Post of Councillor of Ward No.1, Batlagundu Union Council, Dindigul District, based on the petitioner's representation dated 02.01.2020.



2. The petitioner has filed the writ petition under Article 226 of the Constitution of India without exhausting the alternative remedy available to her under Section 258 of the Tamil Nadu Panchayats Act, 1994. Since the petitioner has filed the writ petition without exhausting the alternative remedy, 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 (w)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The State Chief Election Officer,
State Election Commission,
Government of Tamil Nadu,
Jawaharlal Nehru Road,
Jai Nagar,Koyambedu,
Chennai.

2.The District Election Officer / District Collector,
Dindigul District.

3.The Election Officer /
Block Development Officer (Village Panchayat),
Batlagundu,Dindigul District.

+1 CC to M/s.RAJA.KARTHIKEYAN, Advocate (SR-628[F] dated 07/01/2020

+1 CC to M/s.V.SELVA, Advocate (SR-595[F] dated 07/01/2020)

+1 CC to M/s.SPL.GP (SR-720[F] dated 08/01/2020)

W.P (MD) No.235 of 2020

and

W.M.P (MD) No.147 of 2020

06.01.2020

sma/22/1/2020/2p/7c