



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2020

CORAM

**THE HONOURABLE MR.JUSTICE M.DURAISWAMY
AND**

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P(MD)No.241 of 2020

and

W.M.P(MD)No.154 of 2020

P.Arjunan

... Petitioner

Vs.

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

2.The District Election Officer cum District Collector,
Collecotrate Building,
Virudhunagar District.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.

4.The Block Development Officer,
Kariyapatti Union Office,
Virudhunagar District.

5.Vasudevan

... 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 4 to recount the votes for the post of Panchayat President in Thulukankulam Village, Sennilakudi Post, Kariyapatti Taluk, Virudhunagar District, based on the petitioner's representation dated 03.01.2020 within the time frame as fixed by this Court.

For Petitioner

: Mr.A.Balaji

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.4



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 1 to 4 to recount the votes for the post of Panchayat President in Thulukankulam Village, Sennilakudi Post, Kariyapatti 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 him 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)

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To

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

2.The District Election Officer cum District Collector,
Collecotrate Building,
Virudhunagar District.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Virudhunagar District.

4.The Block Development Officer,
Kariyapatti Union Office, Virudhunagar District.

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+1 CC to Mr.RAJA.KARTHIKEYAN, Advocate (SR-627[F] dated 07/01/2020)

+1 CC to Mr.A.BALAJI, Advocate (SR-548[F] dated 07/01/2020)

+1 CC to SPL.GP (SR-718[F] dated 08/01/2020)

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W.P(MD)No.241 of 2020

and

W.M.P(MD)No.154 of 2020

06.01.2020

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