



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P (MD) No.327 of 2020

K.Lakshmi

... Petitioner

Vs.

1.The State Election Commissioner,
State Election Commission Office,
Jawaharlal Nehru Road, Jai Nagar, Koyambedu,
Chennai - 600 016.

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

3.The Election Officer / Block Development Officer,
Thirupanadhal Panchayat Union,
Thiruvidaimaruthur Taluk, Thanjavur District.

4.Thenmozhi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 & 2 to re-conduct the local body election of Narikudi Panchayat, Thiruvidaimaruthur Taluk, Thanjavur District based on the petitioner's representation dated 03.01.2020 within the stipulated time fixed by this Court.

For Petitioner	: Mr.S.M.Mohan Gandhi
For R - 1	: Mr.Raja Karthikeyan
For RR 2 & 3	: Mr.K.Chellapandian, Additional Advocate General. Assisted by Mr.VR.Shanmuganathan, Special Government Pleader.

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 & 2 to re-conduct the local body election of Narikudi Panchayat, Thiruvidaimaruthur Taluk,



Thanjavur District based on the petitioner's representation dated 03.01.2020 within the stipulated time fixed by this Court.

2.The petitioner has filed the above Writ Petition under Article 226 of the Constitution of India without exhausting the alternate remedy available to her under Section 258 of the Tamil Nadu Panchayats Act, 1994. That apart, the issues involved in the present Writ Petition are the matter of evidence, which cannot be decided in the Writ Petition under Article 226 of the Constitution of India.

3.Since the petitioner has got alternate remedy by way of an Election Petition, we are not inclined to entertain the Writ Petition. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1.The State Election Commissioner,
State Election Commission Office,
Jawaharlal Nehru Road, Jai Nagar,
Koyambedu, Chennai - 600 016.

2.The District Collector / District Election Officer,
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3.The Election Officer / Block Development Officer,
Thirupanadhal Panchayat Union,
Thiruvidaimaruthur Taluk, Thanjavur District.

+1 CC to M/s.Special Govt.Pleader (SR-984[F] dated 09/01/2020)
+1 CC to M/s.RAJA,KARTHIKEYAN, Advocate (SR-1066[F] 09/01/2020)
+1 CC to M/s.S.M.MOHAN GANDHI, Advocate (SR-1516[F] 10/01/2020)

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