



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.01.2020**

CORAM:

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

W.P. (MD) No.592 of 2020

N.Meeralabbai

... Petitioner

-vs-

1.The Election Commissioner
Tamilnadu State Election Commission
Chennai

2.The District Collector
Sivagangai
Sivagangai District

3.The Returning Officer (cum) BDO. pt.
A.Velangudi Panchayat
Thiruppathur Taluk
Sivagangai District

4.D.Andhonisamy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the 1 to 3 respondents to conduct the Re-election for the post of A.Velangudi Panchayat President, Tiruppathur Taluk, Sivagangai District, based on the petitioner's representation dated 02.01.2020.

For Petitioner : Mr.T.Kumar

For Respondents : Mr.Raja Karthikeyan

Standing Counsel for R1

Mr.K.Chellapandian

Additional Advocate General

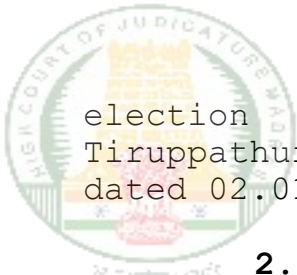
assisted by Mr.V.R.Shanmuganathan

Special Government Pleader for R2 & R3

O R D E R

[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 conduct the re-



election for the post of A.Velangudi Panchayat President, Tiruppathur Taluk, Sivagangai District, based on his representation dated 02.01.2020.

2. The petitioner has got alternative remedy by way of election petition under Section 258 of the Tamil Nadu Panchayats Act, 1994. Instead of filing election petition, the petitioner has approached this Court by filing a writ petition under Article 226 of the Constitution of India. That apart, the issues involved in the present writ petition are the matter of evidence, which cannot be decided in a writ jurisdiction. In these circumstances, we are not inclined to entertain the writ petition.

3. Accordingly, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The Returning Officer (cum) BDO. pt.,
A.Velangudi Panchayat,
Thiruppathur Taluk,
Sivagangai District.

+1 CC to Mr.T.KUMAR, Advocate (SR-1402[F] dated 10/01/2020)

+1 CC to Mr.RAJA.KARTHIKEYAN, Advocate (SR-1854[F] dated
13/01/2020)

+1 CC to SPL.GP (SR-1952[F] dated 20/01/2020)

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MK (27.01.2020) 2P 6C