



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

and

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P. (MD) No.648 of 2020

and

W.M.P. (MD) No.482 of 2020

S.Renuga Devi

... Petitioner

-vs-

1.The State Election Commissioner
Jawaharlal Nehru Road
Koyambedu, Chennai-600 106

2.The Assistant Returning Officer
Radhapuli Panchayat
Nainarnar Koil Union
Ramnad District

3.Vasuki

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of declaration declaring the Election Result of the 3rd respondent concerned published by the 1st respondent in his official website for the Local Body Election Results - 2019 in respect of Ward No.1, Radhapuli Panchayat, Nainarkoil Union, Ramnad District as null and void based on the petitioner's objection dated 17.12.2019.

For Petitioner : Mr.G.Thalaimutharasu

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

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 declaration to declare the Election Result of the third

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respondent concerned published by the first respondent in his official website for the Local Body Election Results - 2019 in respect of Ward No.1, Radhapuli Panchayat, Nainarkoil Union, Ramnad District, as null and void based on her objection dated 17.12.2019.

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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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

krk

To:

The Assistant Returning Officer,
Radhapuli Panchayat,
Nainarnar Koil Union,
Ramnad District.

+1 CC to MR.RAJA KARTHIKEYAN, Advocate (SR-2020[F] dated 20/01/2020)

+1 CC to SPL.GP (SR-1962[F] dated 20/01/2020)

W.P. (MD) No.648 of 2020

and

W.M.P. (MD) No.482 of 2020

20.01.2020

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