



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.704 of 2020

and

W.M.P(MD)No.513 of 2020

S.Nagendran

... Petitioner

Vs.

1.The State Election Commissioner,
Office of the State Election Commission,
Inner Ring Road,
Jay Nagar,
Koyambedu,
Chennai - 106.

2.The District Election Officer cum District Collector,
Ramanathapuram District,
Ramanathapuram.

3.The Returning Officer cum Block Development Officer,
Nainarkoil Panchayat Union Office,
Paramakudi Taluk,
Ramanathapuram District.

4.K.Sathya

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to cancel the result for the election held on 30.12.2019 in favour of the fourth respondent in the constituency of Radhapuli Panchayat in Ward No.6 in Nainarkovil Union, Ramanathapuram District.

For Petitioner

: Mr.V.Panneer Selvam

For R - 1

: Mr.Raja Karthikeyan,
Standing Counsel.

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.DURAISWAMY, J.**)

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, directing the respondents 1 to 3 to cancel the result for the election held on 30.12.2019 in favour of the fourth respondent in the constituency of Radhapuli Panchayat in Ward No.6 in Nainarkovil Union, Ramanathapuram District.

2.The petitioner has filed the above Writ Petition under Article 226 of the Constitution of India without exhausting the alternate remedy available to him 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. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ps

To

1.The State Election Commissioner,
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Paramakudi Taluk, Ramanathapuram District.

+1 CC to M/s.V.PANNEERSELVAM, Advocate (SR-1681[F] dated 13/01/2020

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