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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2021

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI,
ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.24899 of 2021

J.D.Manonidhi

.. Petitioner

Vs

- 1 The Tamil Nadu State Election Commissioner,
Jawaharlal Nehru Road ,
Koyambedu, Chennai 106.
- 2 The District Collector,
Office of the District Collector,
Chengalpattu District, Chengalpattu.
- 3 M.Sivakalaiselvan,
The Election Officer/ Returning Officer/
Block Development Officer,
St. Thomas Panchayat Union,
Chengalpattu District.

4 V.Jeyachandran

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of declaration to declare the Form 23 Certificate dated 13 October, 2021 issued by the 3rd respondent declaring the fourth respondent as elected as President of Vengaivasal Village Panchayat, Punitha Thomaiyar Malai Panchayat Union, Chengalpattu District as null and void and unconstitutional and against the Tamil Nadu Panchayats Act 1994 and Tamil Nadu Panchayat (Election) Rules 1995.

For the Petitioner : Ms.T.Anto Chrisbeen Jenitha



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For the Respondents : Mr.S.Siva Shanmugam
for respondent Nos.1 and 3

: Mr.P.Muthukumar
State Government Pleader
for respondent No.2

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

After arguing for some length, learned counsel for the petitioner prays for withdrawal of the writ petition to avail alternative remedy by maintaining an election petition.

2. The only prayer is to allow the petitioner to make an application under Section 14 of the Limitation Act to seek condonation of delay in filing the petition.

3. As prayed, the writ petition is dismissed as withdrawn with liberty as prayed for. In case an application under Section 14 of the Act is filed, the Court concerned would pass appropriate orders on that after hearing the parties. It should be taken that we have not expressed any view on the issue. There will be no order as to costs. Consequently, W.M.P.No.26206 of 2021 is closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

sasi

To:

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



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The District Collector
Office of the District Collector
Chengalpattu District, Chengalpattu.

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The Election Officer/ Returning Officer/
Block Development Officer
St. Thomas Panchayat Union
Chengalpattu District

+1cc to the Government Pleader, S.R.No.60703

W.P.No.24899 of 2021

PMK (CO)
SU (14/12/2021)