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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.24844 OF 2021 & WMP.NO.26134 OF 2021

R.Sasikala

..Petitioner

Vs

1. The Tamil Nadu State Election
Commission, rep.by its State
Election Commissioner, No.208/2,
Jawaharlal Nehru Salai,
Arumbakkam, Chennai-106.
2. The District Election Officer,
Villupuram District, Collectorate,
Villupuram District.
3. The Returning Officer/Block
Development Officer, Kanai
Panchayat Union, Villupuram District.
4. Vanitha Nagarajan
5. Vasantha Sivakumar

..Respondents

Prayer:

Petition filed under Article 226 of The Constitution of India for a Writ of Certiorarified Mandamus to call for the records of the third respondent in Na.Ka.No.A2/2577/2021 dated 18.10.2021 and the certificate of election issued to the fourth respondent as Panchayat Board President of Kanai Panahcyat Union and quash the same and consequently direct the third respondent to recount the votes polled during the Panchayat Board President of Kanai Panchayat Union held on 09.10.2021, which were counted



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on 12.10.2021 and thereafter declare the results.

For the Petitioner : Mr.P.Wilson, SC for
M/s.P.Wilson Associates
For the Respondents : Mr.S.Sivashanmugam for R1
Mr.P.Muthukumar, SGP for R2
and R3

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 alternate 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 As prayed, the writ petition is dismissed as withdrawn with liberty as prayed for.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 opinion on the issue. There will be no order as to costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

RS

To:

1. The Tamil Nadu State Election Commission, rep.by its State Election Commissioner, No.208/2, Jawaharlal Nehru Salai, Arumbakkam, Chennai-106.
2. The District Election Officer, Villupuram District, Collectorate, Villupuram District.



3. The Returning Officer/Block
Development Officer, Kanai
Panchayat Union, Villupuram District.

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+1cc to M/s.P.Wilson Associates, Advocate, S.R.No.60355

W.P.No.24844 of 2021
& WMP.No.26134 of 2021

KSM(CO)
PM/29/11/2021