

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 8.01.2015

CORAM

THE HON'ble Mr.JUSTICE M. DURAISWAMY

W.P.No.27545 of 2014

T. Manikandan

.... Petitioner

vs

1. The Commissioner,
Tamil Nadu State Co-operative Societies,
Election Commission,
273, Anna Salai, Kamathenu Super Market,
Building, 1st Floor, Teynampet,
Chennai-600 018
2. The District Co-operative Societies
Election Officer/Deputy Registrar (Credit),
II floor, Kuralagam,
Chennai District, Chennai
3. The Electoral Officer,
The Chennai Co-operative Societies.
Employees Co-operative Thrift and
Credit Society, Nos.7 & 8, Davidson Street,
Chennai-600 001
4. The Chennai Co-operative Societies Employees
Co-operative Thrift and Credit Society,
rep by Secretary,
Nos.7 & 8, Davidson Street,
Chennai-600 001

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for a direction to issue a Writ of Mandamus directing the second respondent to transfer the appeal dated 12.6.2013 filed by the petitioner with all records, pending before the second respondent to the first respondent and to direct the first respondent to dispose of the appeal dated 12.6.2013 within a time.

For petitioner : Mr.K.V. Ananthakrushnan
For 1st respondent : Mr.M.S. Palanisamy

For respondents 2 to 4 : Ms.T.P. Savitha
Govt. Advocate

ORDER

The petitioner has filed the above writ petition to direct the second respondent to transfer the appeal dated 12.6.2013 filed by him to the first respondent and also to direct the first respondent to dispose of the appeal within a stipulated time.

2. In the affidavit, filed in support of the writ petition, the petitioner has made allegations as against the second respondent and therefore, sought for transfer of the appeal filed by him to the first respondent.

3. Admittedly, the first respondent is not the appropriate authority to hear the appeal.

4. Mr.M.S. Palanisamy, learned counsel appearing for the first respondent submitted that the second respondent, before whom the appeal was pending, was transferred subsequently and that a new Officer has been posted in his place.

5. When the allegations are made as against the erstwhile Deputy Registrar (Credit), the petitioner has not made any allegation as against the present Deputy Registrar (Credit). Under such circumstances, I do not find any reason to transfer the appeal, pending before the second respondent.

6. In these circumstances, while dismissing the writ petition, I direct the second respondent to dispose of the appeal dated 12.6.2013, on merits and in accordance with law, within a period of three months from the date of receipt of copy of this order. No costs.

Sd/-

Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

sr

To

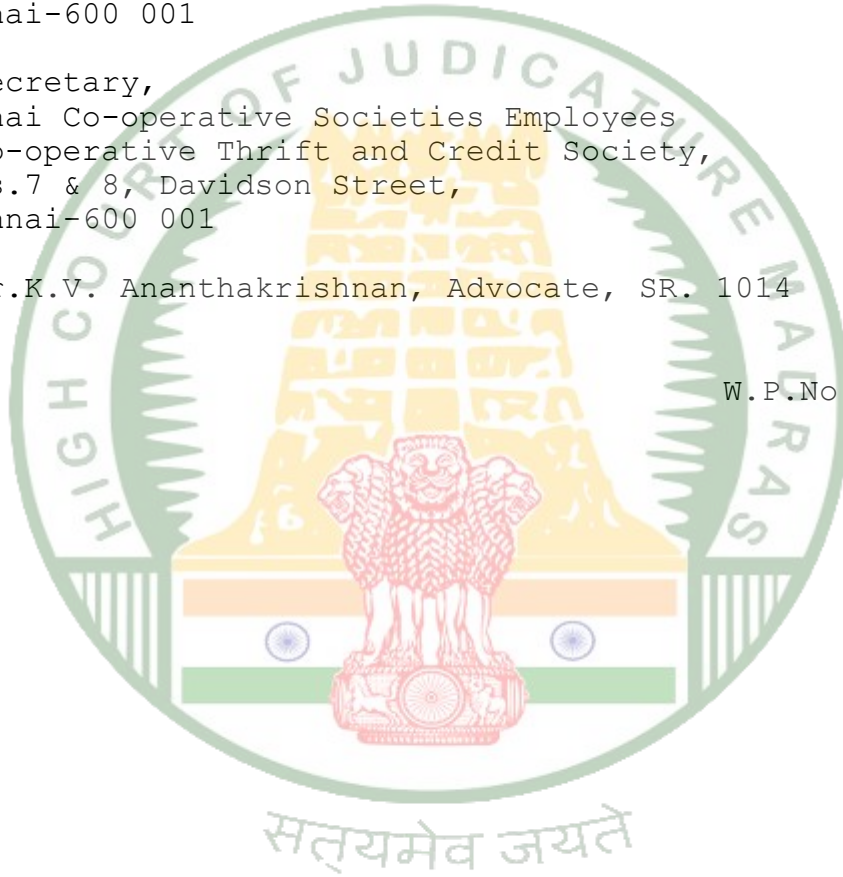
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1 cc to Mr.K.V. Ananthakrishnan, Advocate, SR. 1014

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