

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10..03..2016

C O R A M

The Hon'ble Mr. SANJAY KISHAN KAUL, CHIEF JUSTICE  
and  
The Hon'ble Mrs. Justice M.M.SUNDRESH

Writ Appeal No.757 of 2015

The State Election Commissioner  
Co-op Societies Election,  
Kamadhenu Building Teynampet,  
Chennai 18.

... Appellant

Versus

- 1.T.Anandan
- 2.T.Balamanikandan
- 3.M.Mathiyazhagan
- 4.V.G.Chitti Babu
- 5.R.Vaithyanathasamy
- 6.M.R.Deivasigamani
- 7.P.Kannan
- 8.K.Ponnazhagi
- 9.V.Sevarasu
- 10.B.Padmanaban
- 11.S.S.Shanthakumar
- 12.B.Selvarani
- 13.K.Arulkodi
- 14.K.Adhimoolan
- 15.R.Senthilrayar
- 16.R.Muthuramalingam
- 17.T.Thangamani
- 18.R.Akila
- 19.R.Vetrivelan
- 20.N.Manimegalai.
- 21.A.Veeravel
- 22.R.Rasangam
- 23.B.Meenakshisundaram
- 24.V.Arivanandham

25.The District Election Officer/Joint  
Registrar of Co-op Societies,  
N.P.K.R.R.Co.op Sugar Mills Ltd.,  
Thalaignayar,  
Nagapattinam District.

26.The Election Officer  
M.R.Krishnamoorthy Co-op Sugar Mills Ltd.,  
Sethiyathoppu, Chidambaram Taluk,  
Cuddalore District.

27.The Electoral Officer,  
M.R.Krishnamoorthy Co-op Sugar Mills Ltd.,  
Sethiyathoppu, Chidambaram Taluk,  
Cuddalore District.

28.Balasundaram  
29.Jayabalan  
30.Muruganandham  
31.Elenchezhiyan  
32.Elanselvi  
33.Vasanthakumari  
34.Sujatha  
35.Selva Kalanjiyam  
36.Uma Rani  
37.Manigandan  
38.Jayasankar  
39.Panneerselvam  
40.Jayavel  
41.Selvaraj  
42.Vinayagamoorthy  
43.Sivakumar  
44.Thavaselman

... Respondents

Prayer : Writ Appeal filed under Section 15 of the Letters Patent against the order dated 03.03.2015 in Writ Petition No.15189 of 2013, on the file of this Court. Writ petition filed under Article 226 of the constitution of India to issue a writ of Mandamus directing the 1st Respondent to call for the entire records in so far as relates to election nominations were filed for the electing Board of Directors for M.R. Krishnamoorthy Coop. Sugar Mills Ltd. Sethiyathoppu Chidambaram Taluk Cuddore District and scrutinize the nomination papers and permit the qualified candidates to contest the above said election

For Appellant : Mr.N.R.Chandran  
Senior Counsel for  
Ms. Palanisamy

For Respondents: Mr.AR.L.Sundaresan  
Senior Counsel for  
Mr.C.Prakasam for R.1 to R.23  
Mr.R.Selvakumar for R.28 to R.44.  
Mr.R.Balaramesh for R.24 to R.27.

#### J U D G M E N T

(Judgment of the Court was delivered by the Honourable The Chief Justice)

After hearing learned counsel for the parties, it is agreed that the following orders be passed:

i) The impugned order and any observations made therein be set aside

ii)The matter would be heard by the learned Single Judge initially on the issue of maintainability of writ petition.

2. We, thus, allow the appeal in the aforesaid terms, leaving the parties to bear their own costs.

3. List before the learned Single Judge for directions on 15.03.2016.

Sd/-  
Assistant Registrar(CS III)

//True Copy/

Sub Assistant Registrar

ksr

TO

1. The District Election Officer/Joint Registrar Co-op Societies N.P.K.R.R.Co-OP.Sugar Mills Ltd., Thalaignayaru, Nagapattinam District.
2. The Election Officer, M.R.Krishnamoorthy, Co-op.Sugar Mills Ltd., Sathiyathoppu, Chidambaram Taluk, Cuddalore District.
3. The Election Officer, M.R.Krishnamoorthy, Co-op.Sugar Mills Ltd., Sathiyathoppu, Chidambaram Taluk, Cuddalore District.
4. The State Election Commissioner Co-op Societies Election, Kamadhenu Building Teynampet, Chennai 18.
  - + 1 cc to Government Pleader SR.15752
  - + 1 cc to Mr.C. Prakasam Advocate Sr.15842
  - + 1 cc to Mr.R. Selvakumar, Advocate SR.15450

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