

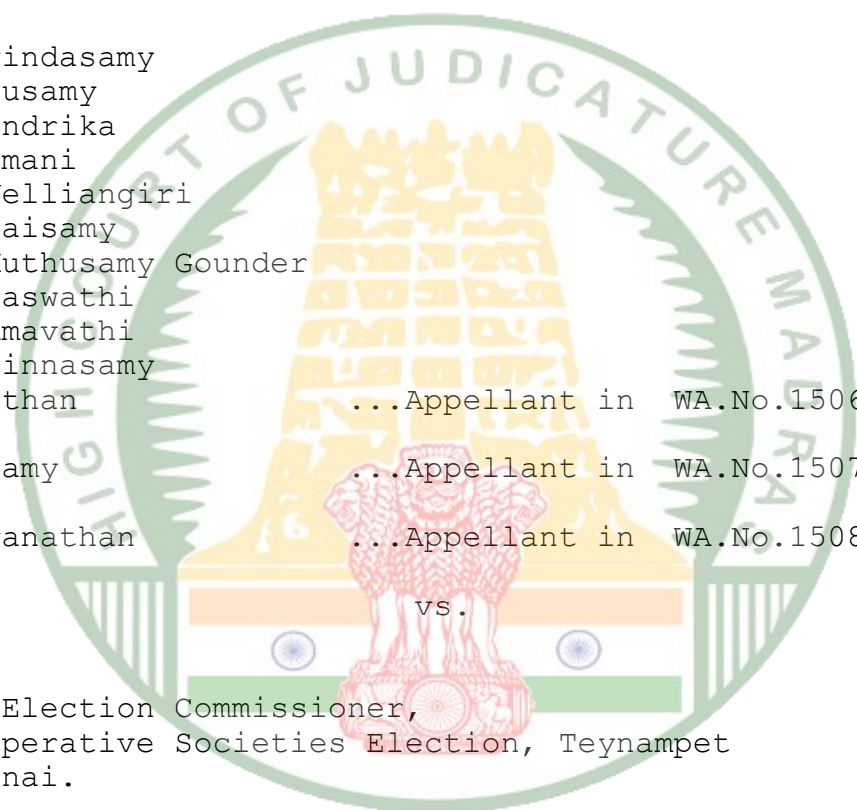
IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.06.2017

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN  
AND  
THE HON'BLE MR.JUSTICE M.V.MURALIDARAN

W.A.Nos.1506, 1507 and 1508 of 2010 and  
M.P.Nos.1 and 1 of 2013

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- 1.C.Govindasamy  
2.M.Balusamy  
3.S.Chandrika  
4.P.Ponmani  
5.M.S.Velliangiri  
6.S.Duraisamy  
7.S.C.Muthusamy Gounder  
8.S.Saraswathi  
9.P.Padmavathi  
10.R.Chinnasamy  
11.P.Muthan ...Appellant in WA.No.1506 of 2013
- M.Balusamy ...Appellant in WA.No.1507 of 2013
- C.Sathyanathan ...Appellant in WA.No.1508 of 2013
- vs.
1. The Election Commissioner,  
Co-operative Societies Election, Teynampet  
Chennai.
2. The District Election Officer/  
Deputy Registrar of Co-operative Societies  
Dharapuram Circle,  
Tiruppur District.
3. The Election Officer  
AA.220, Kangayam Primary Agricultural  
Co-operative Credit Society, Kangayam  
Tiruppur District. ...Respondents 1 to 3  
in all the Writ Appeals
- सत्यमेव जयते
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4.P.Geethamani  
5.Vanithamani  
6.Visalakshi  
7.M.Raju  
8.S.Valarmathi  
9.A.S.Balasubramaniam  
10.A.P.Duraisamy  
11.P.Karuppasamy  
12.M.Palaisamy  
13.A.Ragunathan  
14.M.Tamilvanan

..Respondents 4 to 14  
in WA.No.1506 of 2013

Prayer: Writ Appeals filed Under Clause 15 of the Letters Patents Act, to set aside the order passed by this Hon'ble Court made in W.P.Nos.14139, 13736 and 10744 of 2013 respectively, dated 06.06.2013 by allowing this Writ Appeals

Prayer in W.P.14139/13: Petition filed under Article 226 of the Constitution of India for the issuance of writ of Certiorarified Mandamus, calling for the records relating to the proceedings dated 16.4.2013 issued by the 3rd respondent published on 2.5.2013 in the society notice board and quash the same and consequently direct the respondents 1 and 3 to declare the results holding that the petitioners have already being elected in terms of the original election Notification dated 4.3.2013 issued by the 3rd respondent

Prayer in W.P.13736/13: For issuance of writ of Mandamus forbearing the respondents from electing President Vice-President and Board of Directos for AA.220 Kangayam Primary Agricultural Co-op. Credit Society Kangayam Tiruppur District

Prayer in W.P.10744/13: For issuance of writ of Certiorarified Mandamus Calling for the records pertaining to Errata Notification issued by the 2nd respondent dated 12.4.2013 and quash the same in so far relates to Election Errata published on 13.4.2013 in Dinamalar Paper consequently declare the candidates who already filed their nomintions on 9.4.2013 for AA 220 Kangayam Primary Agricultural Coop. Credit Society Kangayam tiruppur District as Board of Directors of the said society.

For Appellants : No appearance (in all WAs)

For Respondents : Mr.M.S.Palanisamy for R1  
in all WAs  
Ms.T.Girija for R2 and R3  
Government Advocate in all WAs  
Mr.C.K.Chandrasekar for R10 in  
W.A.No.1506 of 2013

#### COMMON JUDGMENT

K.K. SASIDHARAN, J.

These writ appeals are directed against the common order dated 6 June, 2013, dismissing the writ petitions filed by the petitioners challenging the election of the office bearers of AA.220, Kangayam Primary Agricultural Cooperative Credit Society, Kangayam, Tiruppur District.

2. The appellants are the members of the Society by name AA.220 Kangayam Primary Agricultural Co-operative Credit Society. The election to elect the office bearers of the Society was scheduled to be held on 19 April, 2013. Since there was no contest, Board of Directors were elected on 16 April 2013. The members elected the President and Vice President on 9 May 2013.

3. The election of the office bearers and thereafter, the President and Vice President were challenged by the members of the society.

4. The learned single Judge found that the Elected Board took charge on 9 May 2013 and as such, nothing survives for adjudication in the writ petitions. The learned Judge opined that remedy available to the appellants herein is only to approach the appropriate forum challenging the election to the society in accordance with law.

5. We do not find any error or illegality in the order passed by the learned Single Judge. There is a forum Constituted under the Act for challenging the election. There is no question of adjudicating the dispute regarding election in a writ petition filed under Article 226 of the Constitution of India. We are therefore of the view that there is absolutely no merits in the intra court appeals.

6. In the up shot, we dismiss the intra court appeals.  
No costs. Consequently, connected miscellaneous petitions  
are closed.

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Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

dna/svki

To

1. The Election Commissioner  
Co-operative Societies Election, Teynampet  
Chennai - 18.02.2017
2. The District Election Officer/  
Deputy Registrar of Co-operative Societies  
Dharapuram Circle,  
Tiruppur District.
3. The Election Officer  
AA.220, Primary Agricultural  
Co-operative Credit Society, Kangayam  
Tiruppur District.

+1cc to Mr.M.S.Palanisamy, Advocate, S.R.No.42750  
+1cc to the Government Pleader, S.R.No.42829

सत्यमेव जयते

W.A.Nos.1506, 1507 and 1508 of 2013

SVI (CO)  
CS/05/07/17

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