

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.7041 of 2018

and

WMP.Nos.8709 & 8710 of 2018

M.Selvaraj
S/o.Mounasamy Naidu

.. Petitioner

Vs.

1.The State Election Commissioner
Cooperative Elections
Kamadhenu Super Market Building
No.273, Scheme Road, Subburaya Nagar
Teynampet, Anna Slaai,
Chennai-18.

2.The District Election officer
(Cooperative Elections)
Dharapuram Circle, Dharapuram
Tiruppur District.

3.The Election Officer
Cooperative Sub Registrar
No.K.797, Kongalnagaram Primary
Agricultural Cooperative Credit Society
Kongalnagaram - 642 205,
Udumalpet Taluk,
Tiruppur District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the entire records relating to the impugned notification issued by the 2nd respondent and the same was published in Dinathanthi Newspaper dated 12.03.2018 and quash the same.

For Petitioner: Mr.C.Prakasam

For Respondents: Mr.M.S.Palaniswamy
standing counsel for R1

O R D E R

Mr.M.S.Palaniswamy, learned standing counsel takes notice for the first respondent.

2. The petitioner has filed this writ petition challenging the election notification issued by the second respondent dated 12.03.2018 for conducting election to the Kongalnagaram Primary Agricultural Cooperative Credit Society, Udumalpet Taluk, Tiruppur District.

3. The grievance of the petitioner is that the election is being conducted as per the existing Bye-law of the said Society, without amending the same.

4. Admittedly, the election process has already commenced and therefore, the petitioner is not entitled to file the present writ petition, by questioning the election notification, as the petitioner is having statutory remedy under Section 90 of the Tamil Nadu Cooperative Societies Act, to challenge the election, subsequent to the publication of the results of the same. Therefore, the present writ petition is not maintainable and accordingly, the same is dismissed, without expressing any view on the merits of the contention raised by the petitioner, however, by granting liberty to the petitioner work out his remedy under Section 90 of the Tamil Nadu Cooperative Societies Act, as stated supra, after publication the of the results. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar (CS IX)

/true copy/

Sub Asst. Registrar

mk
To

1.The State Election Commissioner
Cooperative Elections
Kamadhenu Super Market Building
No.273, Scheme Road, Subburaya Nagar
Teynampet, Anna Slaai,
Chennai-18.

WEB COPY

2.The District Election officer
(Cooperative Elections)
Dharapuram Circle, Dharapuram
Tiruppur District.

3.The Election Officer
Cooperative Sub Registrar
No.K.797, Kongalnagaram Primary
Agricultural Cooperative Credit Society
Kongalnagaram - 642 205,
Udumalpet Taluk,
Tiruppur District.

W.P.No.7041 of 2018

nr 27/03/2018



WEB COPY