

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2018

CORAM :

The Hon'ble Ms.INDIRA BANERJEE, CHIEF JUSTICE

AND

The Hon'ble Ms.JUSTICE P.T.ASHA

W.P. Nos.8093 and 8094 of 2018

L.Pachaiyappan ... Petitioner in WP.8093/2018
V.R.Annamalai ... Petitioner in WP.8094/2018

-vs-

The Election Commissioner,
Tamil Nadu State Cooperative
Societies Election Commission,
No.273, Kamadenu Super Market,
1st Floor, Anna Salai, Chennai-18. ... Respondents in both WPs.

Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondent to upload the entire Cooperative Society Election Process of Member list, Voter list, Nomination, Scrutiny Results, Election declarations in the website maintained by the respondent as it is done by the Election Commission of India to ensure transparency and for free and fair election.

For Petitioners : Ms.G.V.Seetha Lakshmi

For Respondents : Mr.M.S.Palanisamy

O R D E R

(Made by Ms.Indira Banerjee, Chief Justice)

In these writ petitions, by way of public interest litigation, the writ petitioners have sought orders on the Election Commissioner to upload on the website maintained by the Election Commission, all information and/or materials relating to elections of the Cooperative Societies in the State of Tamil Nadu held and/or scheduled to be held this year.

2. We cannot ignore the contention advanced before us that out of 4600 Cooperative Societies, elections were conducted only in 300 Societies and in all other 4300 Societies, results were declared uncontested. It is one thing when there is no contest by reason of reluctance of members to contest the elections by filing nomination papers, but another thing when nominations are rejected on various grounds, technical or otherwise, on a large scale, which might give rise to suspicion of unfair play.

3. The website should publish details of list of members/voters, the notice of inviting objections to list of members/voters and the last date for filing such objections, the list of candidates who have filed nomination papers for election, the names of the candidates whose nominations have been rejected with the reasons for rejection, the final list of candidates contesting the elections and the list of elected candidates, after the elections are held. If possible, the nomination papers may be scanned and uploaded in the website. However, if that is not possible or feasible for technical reasons, such as, the capacity of the website, copies be given to any member asking for the same.

With the above directions to bring about transparency in the electoral process, these writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sra

To
The Election Commissioner,
Tamil Nadu State Cooperative Societies Election Commission,
No.273, Kamadenu Super Market,
1st Floor, Anna Salai, Chennai-18.

+1cc to Mr.E.Vijay Anand, Advocate Sr.No.46515
+1cc to Mr.M.S.Palanisamy, Advocate Sr.NO.47475

SV(CO)
sm:26.7.2018

W.P.NoS.8093 and 8094
of 2018