



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.04.2018

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THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.10106 of 2018 and
WMP.Nos.12063 and 12064 of 2018

S.Sivasubramanian

...Petitioner

Versus

1. Government of Tamil Nadu
rep. by the Principal Secretary to Government,
Co-operation, Food and Consumer Protection
Department, Secretariat, Chennai-9.
2. Tamil Nadu State Co-operative Societies Election
Commission rep. by its Commissioner,
1st Floor, Anna Salai,
Chennai-18.
3. The District Election Officer
(Co-operative Societies), Erode District.
4. The Election Officer,
EH147- Erode Power Loom Weavers Co-operative
Production and Sales Society Limited,
Erode District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records dated 28.3.2018 on the file of the 4th respondent and quash the same and issue consequential direction directing the 4th respondent to consider the petitioners nomination dated 26.3.2018 and conduct fresh election in the 4th respondent society.

For Petitioner : Mr.'S.Udayakumar
for M/s.Karan and Uday

For Respondents : Mr.M.S.Palanisamy,
Standing Counsel for R2

Mr.L.P.Shanmugasundaram,
Special Government Pleader
for R1, R3 and R4



O R D E R

This Writ Petition has been filed challenging the Impugned Declaration dated 28.3.2018 on the file of the 4th respondent and quash the same and to issue consequential direction directing the 4th respondent to consider the petitioners nomination dated 26.3.2018 and conduct fresh election in the 4th respondent society.

2. When the matter is called, it is represented by the learned Standing Counsel for the 2nd respondent and the learned Special Government Pleader for the respondents 1, 3 and 4 that the election to the 4th respondent society has already taken place and the results were also declared on 28.3.2018.

3. Recording the said submission, the Writ Petition is dismissed with liberty to the petitioner to approach the Election Tribunal under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983, if necessary. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

tsi

To

1. The Principal Secretary to Government,
Government of Tamil Nadu,
Co-operation, Food and Consumer Protection
Department, Secretariat, Chennai-9.
2. Tamil Nadu State Co-operative Societies Election
Commission rep. by its Commissioner,
1st Floor, Anna Salai,
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(Co-operative Societies), Erode District.



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4. The Election Officer,
EH147- Erode Power Loom Weavers Co-operative
Production and Sales Society Limited,
Erode District.

+1cc to Mr.L.P.SHANMUGASUNDARAM, Advocate, S.R.No.30836
+1cc to Mr.KARAN & UDAY, Advocate, S.R.No. 31116
+1cc to the Government Pleader, S.R.No.30678

W.P.No.10106 of 2018

SG(CO)
TR(10/05/2018)