

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.10115 of 2018 and
WMP.No.12069 of 2018

V.S.Ayyasamy

...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 Mandamus, directing the 1st respondent or any other competent authority appointed by the 1st respondent to initiate the election process afresh of 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 to issue a Writ of Mandamus, directing the 1st respondent or any other competent authority appointed by the 1st respondent to initiate the election process afresh to 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. However, the petitioner has got an effective alternative remedy to approach the Election Tribunal.

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 Petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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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,
Chennai-18.
3. The District Election Officer
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Production and Sales Society Limited,
Erode District.

+ 1 cc to M/s. Kasan and Uday Advocate SR.31115

+ 1 cc to Government Pleader Sr.30677

+ 1 cc to Mr.L.P. Shanmugasundaram, Advocate SR.30837

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