

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.8114 of 2018

and

W.M.P.Nos.10091 and 10092 of 2018

P.Subramani

.. Petitioner

... Vs ...

1. The State Election Commission,
Tamil Nadu State Co-operative Election Commission,
Kamadhenu Super Market Building,
No.273, Scheme Road,
Subbarayan Nagar,
Teynampet, Chennai - 600 018.
2. The District Election Officer/
Deputy Registrar of Co-operative Societies,
Thiruvannamalai Region,
Thiruvannamalai.
3. The Election Officer,
H.H.464, Kattampoondi Primary Agricultural Co-operative
Credit Society,
Kattampoondi Village & Post,
Thiruvannamalai Taluk & District.
4. H.H.464, Kattampoondi Primary Agricultural Co-operative
Credit Society,
Rep. by its Secretary,
Kattampoondi Village & Post,
Thiruvannamalai Taluk & District.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus calling for the records of the third respondent in his proceedings with regard to the election process more particularly the list of eligible candidates for the election duly notified by the third respondent under Rule 52(8) (i) of the Tamil Nadu Co-operative Societies Rules, 1988 dated 03.04.2018 (noticed on 04.04.2018) vide Form No.20 and quash the same and consequently direct the respondents to include the name

of the petitioner in the list in Form 20 and to conduct election by appointing an another election officer in the place of the third respondent within a reasonable time.

For Petitioner : Mr.S.Sivakumar

For R-1 : Mr.M.S.Palanisamy,
Standing Counsel

For RR-2 to 4 : Mr.L.P.Shanmugasundaram
Special Government Pleader

ORDER

The present writ petition has been filed by the petitioner praying for the issuance of a Writ of Mandamus calling for the records of the third respondent in his proceedings with regard to the election process more particularly the list of eligible candidates for the election duly notified by the third respondent under Rule 52(8) (i) of the Tamil Nadu Co-operative Societies Rules, 1988 dated 03.04.2018 (noticed on 04.04.2018) vide Form No.20 and quash the same and consequently direct the respondents to include the name of the petitioner in the list in Form 20 and to conduct election by appointing an another election officer in the place of the third respondent within a reasonable time.

2. Mr.M.S.Palanisamy, learned Standing Counsel appearing for the first respondent submitted that election to the H.H.464, Kattampoondi Primary Agricultural Co-operative Credit Society was not held fairly and properly following the democratic norms.

3. Mr.L.P.Shanmugasundaram, learned Special Government Pleader appearing for respondents 2 to 4 also submitted that already a proposal has been sent to the Election Commission for cancelling the election held on 07.04.2018 and on the basis of the said proposal, decision will be taken.

4. Recording the said statement made by the learned Special Government Pleader appearing for respondents 2 to 4 that there has been a proposal sent to the Election Commission to cancel the election, the Election Commission is directed to consider the said proposal, as expeditiously as possible, preferably within a period of one week from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of. No costs. The connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Jr1

To

1. The State Election Commission,
Tamil Nadu State Co-operative Election Commission,
Kamadhenu Super Market Building,
No.273, Scheme Road,
Subbarayan Nagar,
Teynampet, Chennai - 600 018.
2. The District Election Officer/
Deputy Registrar of Co-operative Societies,
Thiruvannamalai Region,
Thiruvannamalai.
3. The Election Officer,
H.H.464, Kattampoondi Primary Agricultural Co-operative
Credit Society,
Kattampoondi Village & Post,
Thiruvannamalai Taluk & District.
4. The Secretary,
H.H.464, Kattampoondi Primary Agricultural Co-operative
Credit Society,
Kattampoondi Village & Post,
Thiruvannamalai Taluk & District.

+1cc to Mr.G.Ilamurugan, Advocate, S.R.No.30422

+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.30830

+1cc to the Government Pleader, S.R.No.30683

W.P. No.8114 of 2018

SSI (CO)
CS/17/05/18