

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.8139 of 2018 and

W.M.P.No.10121 of 2018

Appadurai

... Petitioner

Vs.

1.The District Election Officer
(Co-operative Societies),
Thiruppur District.

2.The Election Officer,
R 216, Anthiyur Primary Agricultural
Co-operative Credit Society Ltd.,
Thiruppur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to accept the nomination of the petitioner and conduct the election for the Board of Directors of the 2nd respondent Society without rejection of any nomination.

For Petitioner : Mr.R.Nalliyappan

For Respondents: Mr.L.P.Shanmugasundaram,
Special Government Pleader

सतयमेव जयते
O R D E R

This Writ Petition has been filed by the petitioner seeking for issuance of Writ of Mandamus directing the respondents to accept the nomination of the petitioner and conduct the election for the Board of Directors of the 2nd respondent Society without rejection of any nomination.

2.The learned counsel appearing for the petitioner has submitted that the petitioner is one of the member of the 2nd respondent Co-operative Society and the petitioner is eligible to contest in the ensuing election for the post of Director to the Board of Directors. While so, on 31.03.2018, when the petitioner filed his nomination before the 2nd respondent, the

same was refused on the ground that the petitioner has been shown as a dead person in the voters list prepared for the election, 2018. Hence, the petitioner has approached this Court seeking for a direction to the respondents to accept his nomination.

3.The learned Special Government Pleader appearing for the respondents has submitted that already the respondents had released the tentative voters list on 22.03.2018. After the release of the tentative list, the petitioner could have given his objection to the same to include his name on or before 24.03.2018, which the petitioner has not done. Therefore, on scrutiny of the applications on 27.03.2018, the final voters list was published on 28.03.2018.

4.The learned Special Government Pleader has submitted that on 28.03.2018 the results were declared since all the Office Bearers were elected unopposed.

5.In view of the above stated facts, the Writ Petition fails and accordingly, the Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

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To

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1.The District Election Officer
(Co-operative Societies),
Thiruppur District.

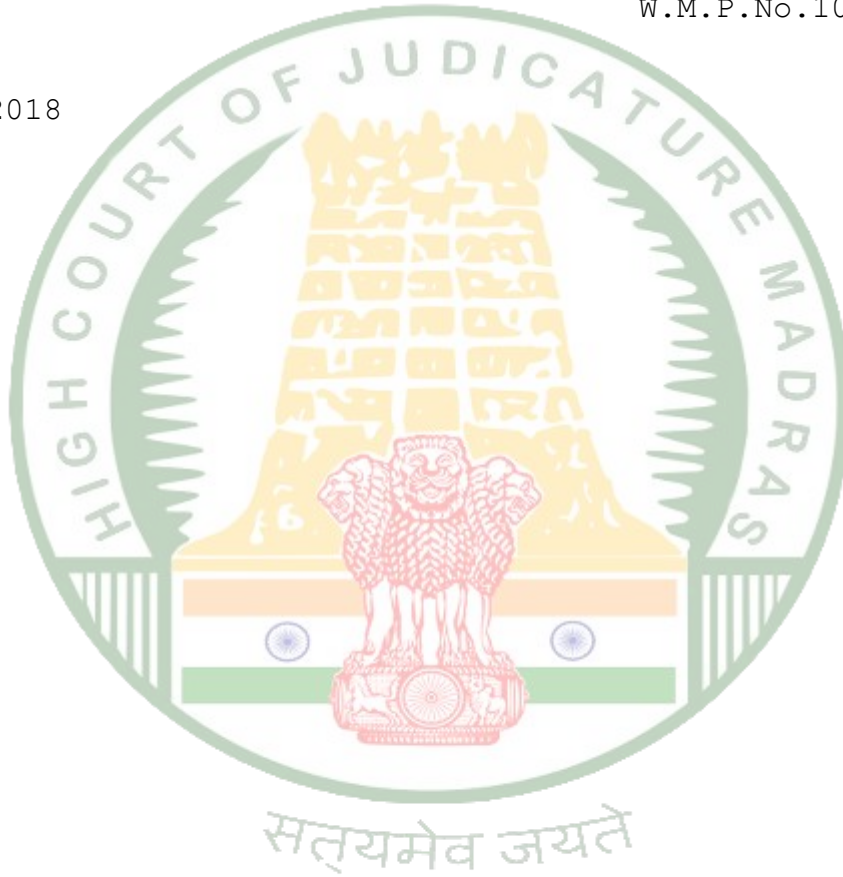
2.The Election Officer,
R 216, Anthiyur Primary Agricultural
Co-operative Credit Society Ltd.,
Thiruppur District.

+ 1 cc to Mr.L.P.Shanmugasundaram, Advocate,SR.26407

+ 1 cc to Mr.R.Nalliyappan Advocate,SR.25818

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rv(co)
nr 27/04/2018



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