

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2018

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.20353 of 2018
and W.M.P.No.23902 of 2018

S.Saravanan

.. Petitioner

vs

- 1 The Tamilnadu State Cooperative Election Commission,
Rep.by its Commissioner,
Kamadenu Super Market I Floor,
No.273, Anna Salai, Chennai-600 018.
 - 2 The Registrar of Co-operative Societies,
No.170, Periyar E.V.R.Salai,
Chennai-106
 - 3 The Election Officer,
Kayalpattu Primary Agricultural Co-operative
Credit Society-E 2702,
Cuddalore Main Road, Cuddalore-607 001.
- .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent to conduct the election for Kayalpattu Primary Agriculture Co-operative Credit Society-E2702, after scrutinizing the nomination dated 9.04.2018 filed by the petitioner in accordance with the provisions of Tamil Nadu Co-operative Societies Act, 1983.

For Petitioner : Mr.A.Prabhakaran
For Respondent-1 : Mr.M.S.Palanisamy
Standing counsel
For Respondents 2 & 3 : Mr.L.P.Shanmugasundaram
Special Government Pleader.

O R D E R

This writ petition has been filed seeking for a direction to the third respondent society to conduct the election.

2.The learned counsel appearing for the petitioner submitted that pursuant to the election notification issued by the third respondent society, the petitioner has filed his

nomination in the third respondent society and without considering his nomination, the third respondent published only 11 eligible candidates, and rejected the nomination of the petitioner.

3 Today, when the matter was taken up for hearing, the learned Special Government Pleader (Co-op) appearing for the respondents 2 and 3 submitted that the election to the third respondent has already been over, and 11 Board of Directors have already been declared elected.

4 In the above circumstances, If the petitioner has any grievance over the election, it is open to the petitioner to challenge the Election by filing appropriate petition under Section 90 of the Tamil Nadu Co-operative Societies Act as the election has been conducted by the respondent society. Hence, the prayer sought by the petitioner cannot be granted.

5 In view of the above, the writ petition stands dismissed. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-
Deputy Registrar (CS)

//True Copy//

Sub Assistant Registrar

rpl

+ 1 cc to M/s. A. Prabhakaran, Advocate Sr.55549
+ 1 cc to Mr. L.P. Shanmugasundaram, Advocate Sr.55820

सत्यमेव जयते

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(CS-DR)
EU(04/09/2018)

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