

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.9346 of 2018

and

W.M.P.Nos.11160, 11161 and 11162 of 2018

J.Shanmugam

.. Petitioner

... Vs ...

1. The State Election Commission,
Tamil Nadu State Co-operative Societies 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.
5. S.Muniyammal
6. A.Dhanapal
7. R.Kanchana
8. S.Kuppu
9. M.Malar
10. C.Elumalai
11. R.Kuppusamy
12. M.Babu
13. P.Neelakandan
14. M.Venugopal
15. D.Ravi

.. Respondents

(Respondents 5 to 15 are members of the
H.H.464, Kattampoondi Primary
Agricultural Co-operative Credit
Society, Kattampoondi Village & Post,
Thiruvannamalai Taluk & District.)

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 dated 03.04.2018 under
Rule 52(8) (i) of the Tamil Nadu Co-operative Societies Rules,
1988 (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.G.Ilamurugu

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 dated 03.04.2018 under Rule 52(8) (i) of the Tamil
Nadu Co-operative Societies Rules, 1988 (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.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

Jr1

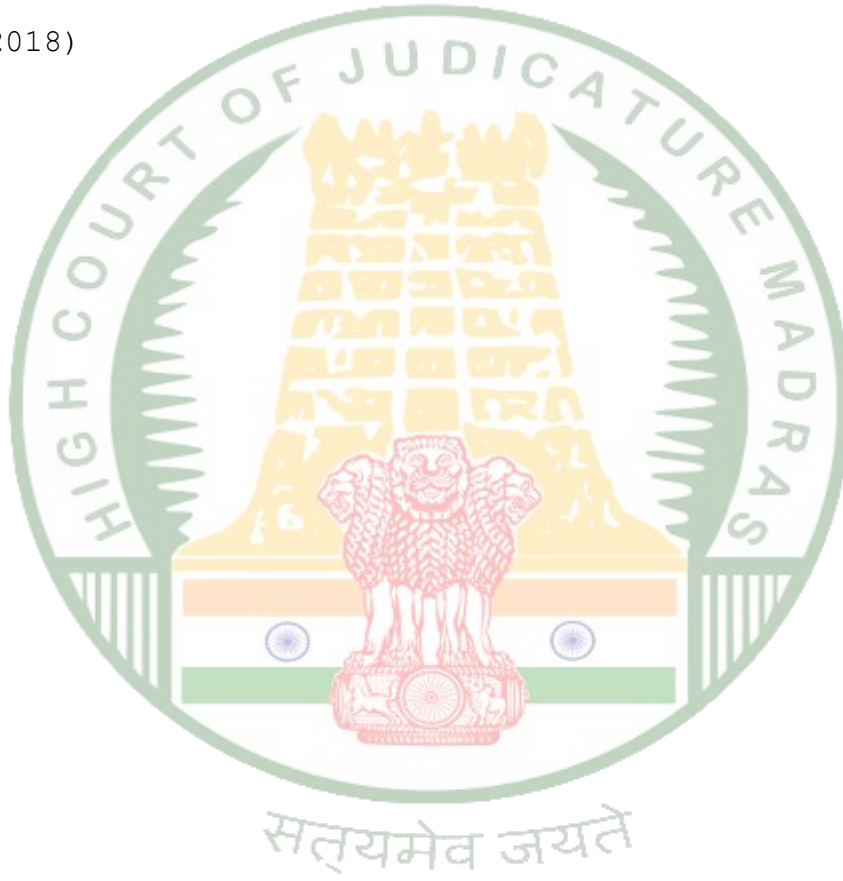
To

1. The State Election Commission,
Tamil Nadu State Co-operative Societies 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.

+1 CC to Mr.G. Ilamurugu, Advocate sr 30423.
+1 CC to Mr.L.P. Shanmugasundaram, Advocate sr 30831.
+1 CC to Govt. Pleader sr 30684

W.P. No.9346 of 2018

SSI (CO)
SP(16/05/2018)



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