

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.10377 of 2018

N.Sakthivel

... Petitioner

Vs.

- 1.The State Election Commissioner,
Co-operative Elections,
Kamadhenu Super Market Building,
No.273, Scheme Road, Subburaya Nagar,
Teynampet, Anna Salai, Chennai - 18.
- 2.The District Election Officer/
Deputy Registrar of Co-operative Societies,
Salem Circle, Salem, Salem District.
- 3.The Election Officer/Senior Inspector (Audit),
S.S.111, Salem and Namakkal District
Co-operative Societies,
Employees Co-operative Thrift and
Credit Society,
No.27/10, Chinnayeri Vayalakadu 1st Street,
Pallapatti, Salem - 636 009. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 1st respondent to dispose of the written representation submitted by the petitioner in person on 06.04.2018 by giving opportunity to the petitioner within a stipulated time.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.L.P.Shanmugasundaram, (R2 & R3)

Special Government Pleader (Co-operatives)
Mr.M.S.Palanisamy, Standing Counsel (R1)

O R D E R

This Writ Petition has been filed seeking a direction to the 1st respondent to dispose of the written representation made

by the petitioner on 06.04.2018, giving opportunity to the petitioner to make out his case to cancel the election results declared on 03.04.2018 for the post of Directors of the Co-operative Societies.

2.This Court is unable to find any merits in the present Writ Petition in view of the passage of time.

3.The learned counsel appearing for the petitioner has submitted that without holding election fairly and freely, the respondents have arbitrarily declared the names of 11 candidates as Directors of the Co-operative Societies. Though the petitioner has raised serious objections as early as on 06.04.2018, the same has not been considered.

4.The learned Special Government Pleader appearing for the respondents has submitted that since the names of the elected candidates have been declared, the remedy open to the petitioner is to approach appropriate forum under Section 90 of the Tamil Nadu Co-operative Societies Act.

5.In view of the same, the Writ Petition is dismissed. However, it is open to the petitioner to move the appropriate forum within 60 days from the date of declaration of the candidates in the election. No costs.

Sd/-
Assistant Registrar(CS II)

//True copy//

Sub Assistant Registrar

va

To

1.The State Election Commissioner,
Co-operative Elections,
Kamadhenu Super Market Building,
No.273, Scheme Road, Subburaya Nagar,
Teynampet, Anna Salai, Chennai - 18.

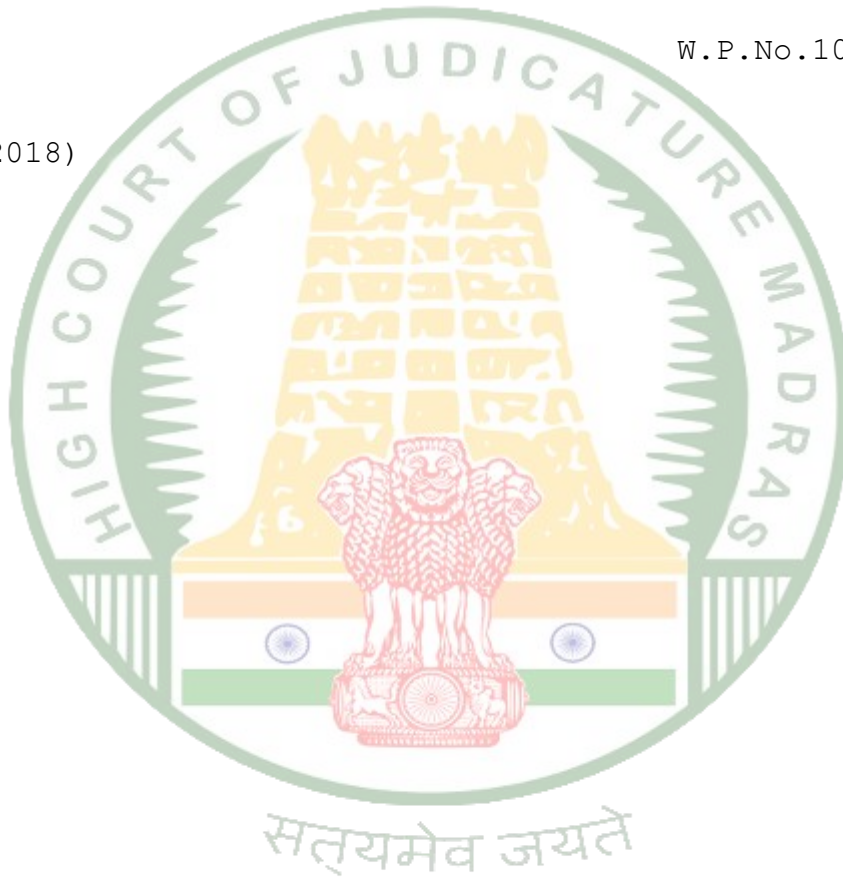
2.The District Election Officer/
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Salem District.

3.The Election Officer/Senior Inspector (Audit),
S.S.111, Salem and Namakkal District
Co-operative Societies,
Employees Co-operative Thrift and
Credit Society,
No.27/10, Chinnayeri Vayalakadu 1st Street,
Pallapatti, Salem - 636 009.

+1cc to Mr.C.Prakasam, Advocate SR.No.31383
+1cc to Mr.L.P.Shanmugasundaram, Advocate SR.No.31573
+1cc to Government Pleader SR.No.31802

W.P.No.10377 of 2018

GJ(CO)
GN(10/05/2018)



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