

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P. 20760 of 2018
&
W.M.P. 24389 of 2018

P.Palanisamy

... Petitioner

Vs

1. The Election Commissioner,
Tamil Nadu Co-operative Societies
No.273, Anna Salai,
Chennai-600 018.

2. No.K.896 Thungavi, Thodakka
Velanmai Kutturavu Kadan Sangam,
rep. By its Election Officer,
Thungavi, Tiruppur District.

3. Joint Registrar of Co-operative
Societies,
Co-operative Department,
Tiruppur.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the 2nd respondent from conducting election to the post of President and Vice-President scheduled on 11.08.2018 to the No.K.896 Thungavi, Thodakka Velanmai Kutturavu Kadan Sangam, Madathukulam Taluk, Tiruppur District without conducting election for the election of members based on the list of candidates published by the 2nd respondent on 02.05.2018 wherein the name of the petitioner was included in Serial No.7 and which is in violation of the proceedings of the 1st respondent requiring the 2nd respondent to publish the list of candidates finally selected on 02.05.2018 as fully elected members considering the representation/objection of the Petitioner dated 09.08.2018.

For Petitioner : M/s.M.Purushothaman

For Respondents : Mr.M.S.Palaniswamy,
Standing Counsel for R-1

Mr.L.P.Shanmugasundaram,
Special Govt. Pleader for R2-R3

O R D E R

1. The Writ Petition has been filed seeking for a direction to conduct election to the post of President and Vice-President of the 2nd Respondent Co-operative Society.

2. I have heard the rival submissions made by Mr.M.Purushothaman, learned counsel for the petitioner, as well as Mr.M.S.Palaniswamy, learned standing counsel for 1st Respondent and Mr.L.P.Shanmugasundaram, learned Special Government Pleader for Respondents 2 and 3.

3. Today, when the matter was taken up for hearing, Mr.L.P.Shanmugasundaram, learned Counsel appearing for the respondents submitted that the election to the Board of Directors was already over on 07.08.2018. Thereafter, the election to the office-bearers also held on 11.08.2018. The new office-bearers also taken charge on the very same day on 11.08.2018.

4. In the above circumstances, the relief sought by the Writ Petitioner has become infructuous. However, if the petitioner has any grievance over the conduct of election, it is always open to the petitioner to file an application under Sec.90 of the Tamil Nadu Co-operative Societies Act. In view of the same, the present writ petition stands dismissed. Consequently, the connected Miscellaneous Petition is also closed. No costs.

Sd/-
Assistant Registrar(CS ix)
//True Copy//
Sub Assistant Registrar

rpp

To

1. The Election Commissioner,
Tamil Nadu Co-operative Societies
No.273, Anna Salai,
Chennai-600 018.
2. No.K.896 Thungavi, Thodakka
Velanmai Kutturavu Kadan Sangam,
rep. By its Election Officer,
Thungavi, Tiruppur District.

3. Joint Registrar of Co-operative Societies,
Co-operative Department, Tiruppur.

+1cc to Mr.M.PURUSHOTHMAN , Advocate SR.No. 55550

+1 CC TO MR.L.P.SHANMUGASUNDARAM Advocate SR.NO. 55817

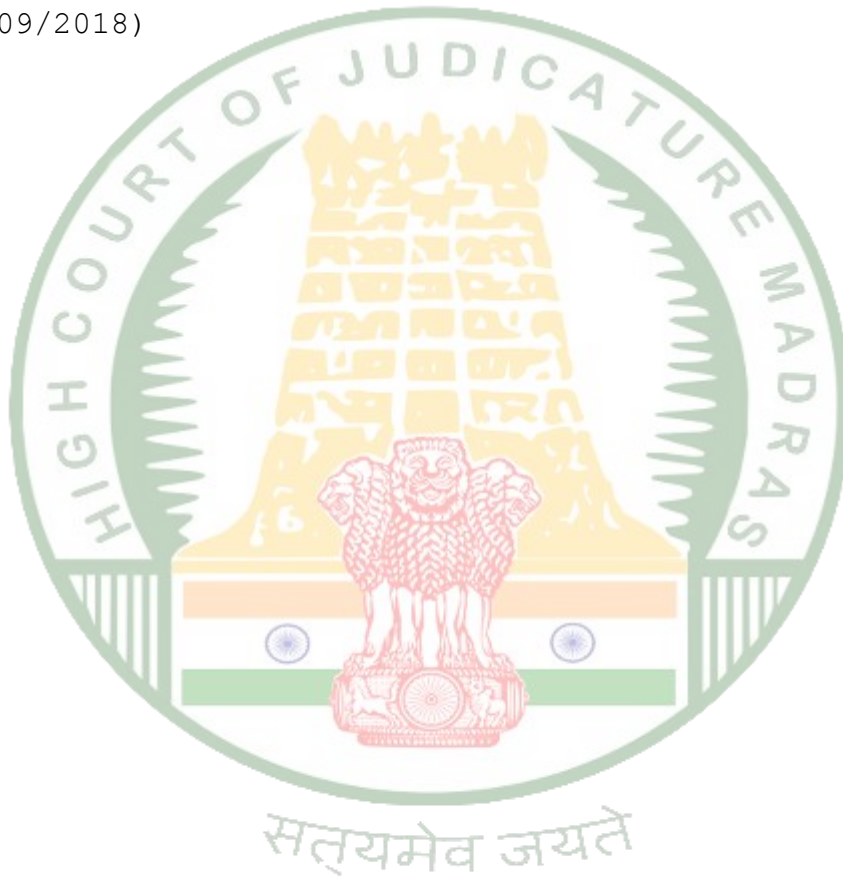
W.P.20760 of 2018

and

W.M.P. 24389 of 2018

KS (CO)

ASK(07/09/2018)



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