

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.7715 & 7716 of 2018 and
WMP.Nos.9622 & 9623 of 2018

R.B.Pazhanivel .. Petitioner in W.P.No.7715 of 2018
T.V.Kanniappan .. Petitioner in W.P.No.7716 of 2018

-vs-

The Deputy Registrar (Milk Development)
of Cooperative Societies
(District Election Officer)
Kancheepuram
Kancheepuram District ..Respondent in both the writ petitions

Petitions under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to consider the representations of the petitioners dated 26.03.2018 and 28.03.2018 respectively and permit the petitioners to participate in the election process commencing on 09.04.2018 for the posts of President and Vice President respectively to the Thirukazhukundram Milk Producers Cooperative Sangam Limited, G-1549, Ruthirankoil, Thirukazhukundram, Kancheepuram District.

For Petitioners in :: Mr.M.Ramamoorthi
both WPs
For Respondent in :: Mr.L.P.Shanmughasundaram
both WPs Special Government Pleader

ORDER

When the matters were taken up for hearing, the learned Special Government Pleader for the respondent brought to the notice of this Court the bar of disqualification under Section 34(5)(b) of the Tamil Nadu Cooperative Societies Act, 1983 against the petitioners to take part in the election, which reads as follows:-

"34.(5)(b). No member of a board in respect of whom proceeding under Section 87 is pending and no member of a board in respect of which proceeding under Section 88 is pending, shall be eligible for election or

nomination to the board till the termination of such proceeding."

2. In the light of the above, the petitioners are ineligible to take part in the election. At this juncture, the learned counsel for the petitioners sought permission to withdraw the writ petitions. Accordingly, accepting his request, the writ petitions are dismissed as withdrawn. Consequently, W.M.P.Nos.9622 & 9623 of 2018 are also dismissed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ss
To

1. The Deputy Registrar (Milk Development)
of Cooperative Societies
(District Election Officer)
Kancheepuram
Kancheepuram District

+1cc to Government Pleader Sr.No.25192, 25193

KJI(CO)
sm:18.4.2018

W.P.Nos.7715 & 7716 of 2018

सत्यमेव जयते

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