

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P. Nos. 21281 to 21283 of 2018
and

W.M.P. Nos.24946 to 24951 of 2018

Deepak Dharmaraj ... Petitioner in W.P.No.21281 of 2018
Kavin Thangavel ... Petitioner in W.P.No.21282 of 2018
K.Palanisamy ... Petitioner in W.P.No.21283 of 2018

Vs.

1. The Commissioner,
Tamil Nadu state Co-operative Societies
Election Commission,
No.273, Kamadhenu Supermarket
(1st Floor), Annasalai,
Chennai, Tamil Nadu-600 018.

2. The Election Commissioner,
Tamil Nadu State Co-operative Societies,
Rep. by its Secretary,
No.273, Kamadhenu Supermarket
(1st Floor), Annasalai,
Chennai, Tamil Nadu-600 018.

3.Registrar of Co-operative Societies,
No. 170,EVR Rd, Dr.Radhakrishnan Nagar,
Razaak Garden, SBI Officers Colony,
Arumbakkam, Chennai,
Tamil Nadu-600 106.

4.Kudimiyampalayam Primary Agricultural,
Cooperative Credit Society,
Rep. By its Secretary,
Attavanai anuman Pally, Kudimiyampalayam,
Modakuruchi Taluk,
Erode District-638 101

5.The Election Officer/Joint Registrar of Cooperative Societies,
O/o. The Joint Registrar of cooperative Societies
Erode District.

... Respondents in W.P.No.21281 of 2018

1. The Commissioner,
Tamil Nadu state Co-operative Societies
Election Commission,
No.273, Kamadhenu Supermarket
(1st Floor), Annasalai,
Chennai, Tamil Nadu-600 018.

2. The Election Commission,
Tamil Nadu State Co-operative Societies,
Rep. by its Secretary,
No.273, Kamadhenu Supermarket
(1st Floor), Annasalai,
Chennai, Tamil Nadu-600 018.

3.Registrar of Co-operative Societies,
No. 170,EVR Rd, Dr.Radhakrishnan Nagar,
Razaak Garden, SBI Officers Colony,
Arumbakkam, Chennai, Tamil Nadu-600 106.

4.Anjur Primary Agricultural Cooperative Credit Society,
Rep. By its Secretary,
Anjur, Ichipalayam, Kodumudi Taluk,
Erode District-638 151

5.The Election Officer/Joint Registrar of Cooperative Societies,
O/o. The Joint Registrar of cooperative Societies
Erode District.

... Respondents in W.P.No.21282 of 2018

1. The Commissioner,
Tamil Nadu state Co-operative Societies
Election Commission,
No.273, Kamadhenu Supermarket
(1st Floor), Annasalai,
Chennai, Tamil Nadu-600 018.

2. The Election Commission,
Tamil Nadu State Co-operative Societies,
Rep. by its Secretary,
No.273, Kamadhenu Supermarket
(1st Floor), Annasalai,
Chennai, Tamil Nadu-600 018.

3.Registrar of Co-operative Societies,
No. 170,EVR Rd, Dr.Radhakrishnan Nagar,
Razaak Garden, SBI Officers Colony,
Arumbakkam, Chennai,
Tamil Nadu-600 106.

4.Kaspapttai Primary Agricultural Cooperative Credit Society,
Rep. By its Secretary,
Kaspapettai, Kaspapettai Post,
Avaloondurai via,
Erode District-638 151

5.The Election Officer/Joint Registrar of Cooperative Societies,
O/o. The Joint Registrar of cooperative Societies
Erode District.

... Respondents in W.P.No.21283 of 2018

PRAYER in W.P.No.21281 of 2018 :

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned voter list dated 06.04.2018 issued by the 5th Respondent and quash the same and consequently directing the Respondents to prepare a fresh voter list with all eligible voters in respect of the Kudimiyampalayam Primary Agricultural Cooperative Credit Society, Kudimiyampalayam, Erode District and conduct free and fair Election.

PRAYER in W.P.No.21282 of 2018 :

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records of the impugned voter list dated Nil issued by the 5th Respondent and quash the same and consequently directing the Respondents to prepare a fresh voter list with all eligible voters in respect of the Anjur Primary Agricultural Cooperative Credit Society, Anjur, Erode District and conduct free and fair Election.

PRAYER in W.P.No.21283 of 2018 :

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned voter list dated Nil issued by the 5th Respondent and quash the same and consequently directing the Respondents to prepare a fresh voter list with all eligible voters in respect of the Kaspapettai Primary Agricultural Cooperative Credit Society, Kaspapettai, Erode District and conduct free and fair Election.

For petitioners : Mr.S.Varsha
For Respondents : Mr.L.P.Shanmugasundaram
Special Govt. Pleader
for R1,R2,R3 and R5
: Mr.V.Elango For R4

O R D E R

These Writ Petitions have been filed challenging the Voter list prepared in respect of the 4th Respondent society.

2. Today when the matters are taken up for hearing, Mr.K.Elango, the learned counsel appearing for the fourth respondent submitted that already election to the Board of Directors of the fourth respondent society has been completed and the result has also been declared.

3. In the said circumstances, now only remedy available to the petitioner is to challenge the the Election under Section 90 of the Tamilnadu Co-Operative Societies Act.

4. Hence, these Writ Petitions are dismissed with liberty to the petitioner to approach the concerned authorities by filing necessary application under Section 90 of the Tamil Nadu Co-Operative Societies Act, if so advised. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

mrp/rst

To

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Tamil Nadu state Co-operative Societies
Election Commission,
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Chennai, Tamil Nadu-600 018.

2.The Election Commissioner,
Tamil Nadu State Co-operative Societies,
Rep. by its Secretary,
No.273, Kamadhenu Supermarket
(1st Floor), Annasalai,
Chennai, Tamil Nadu-600 018.

3.Registrar of Co-operative Societies,
No. 170,EVR Rd, Dr.Radhakrishnan Nagar,
Razaak Garden, SBI Officers Colony,
Arumbakkam, Chennai,
Tamil Nadu-600 106.

4. The Secretary,
Kudimiyampalayam Primary Agricultural,
Cooperative Credit Society,
Attavanai anuman Pally, Kudimiyampalaym,
Modakuruchi Taluk,
Erode District-638 101

5. The Secretary,
Anjur Primary Agricultural Cooperative Credit Society,
Anjur, Ichipalayam, Kodumudi Taluk,
Erode District-638 151

6. The Secretary,
Kaspapttai Primary Agricultural Cooperative Credit Society,
Kaspapettai, Kaspapettai Post,
Avaloondurai via,
Erode District-638 151

7. The Election Officer/Joint Registrar of Cooperative Societies,
O/o. The Joint Registrar of cooperative Societies
Erode District.

+3cc to Mr.S.Varsha, Advocate, S.R.No.56977 TO 56979

+3cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.57465 to 57467

+3cc to Mr.V.Elango, Advocate, S.R.No.57321

+1cc to the Government Pleader, S.R.No.57684

W.P. Nos. 21281 to 21283 of 2018
and

W.M.P.Nos.24946 to 24951 of 2018

SVN(CO)
CS/07/09/18