

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.9933 of 2018 and
W.M.P. No.11865 of 2018

C.Palani

Petitioner

-vs-

1.District Election Officer
(Co-operative Societies),
Krishnagiri District.

2.The Election Commissioner,
Tamil Nadu State Co-operative Societies,
No.273, Kamadhenu Super Market,
First Floor, Anna Salai,
Chennai-600 018.

3.The Registrar of Co-operative Societies,
No.170, N.V.Natarajan Maaligai,
E.V.R.Road, Poonamallee High Road,
Kilpauk, Chennai-10.

4.The Election Officer,
K.K.216, Ettipatti Primary Agricultural
Co-operative Credit Society,
Ettipatti, Uthangarai Taluk,
Krishnagiri District.

Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of declaration declaring the list of candidates orally announced and informed on 03.04.2018 by the second respondent in respect of the election to the fourth respondent society as null and void and consequently direct the fourth respondent to include the nominations received on as per the acknowledgement

dated 31.03.2018 in the valid candidates' list and conduct the election for the Board of Directors of the fourth respondent society without rejection of any nominations.

For Petitioner : Mr.S.Paul Gnanamuthu

For Respondents: Mr.M.S.Palanisamy,
Standing Counsel for R2

Mr.L.P.Shanmuga Sundaram,
Special Government Pleader for R1, 3 and 4

ORDER

This writ petition has been filed seeking declaration declaring the list of candidates orally announced and informed on 03.04.2018 by the second respondent in respect of the election to the fourth respondent society as null and void and a direction to the fourth respondent to include the nominations received on as per the acknowledgement dated 31.03.2018 in the valid candidates' list and conduct the election for the Board of Directors of the fourth respondent society without rejection of any nominations.

2.The petitioner has mistakenly come to this Court instead of approaching the Election Tribunal under Section 90 of the Tamil Nadu Co-operative Societies Act seeking declaration of results as null and void.

3. When the election took place in the fourth respondent Co-operative Society for the post of Directors and the third respondent has also declared some of the members as directors on 28.03.2018, the petitioners cannot come to this Court by way of filing this petition. Therefore, this Court is not inclined to entertain this petition and the same is dismissed granting liberty to the petitioner to move a petition before the Election Tribunal if he desires. No costs. Consequently, connected W.M.P. is also dismissed.

23.04.2018

vga

To

1. District Election Officer
(Co-operative Societies),
Krishnagiri District.

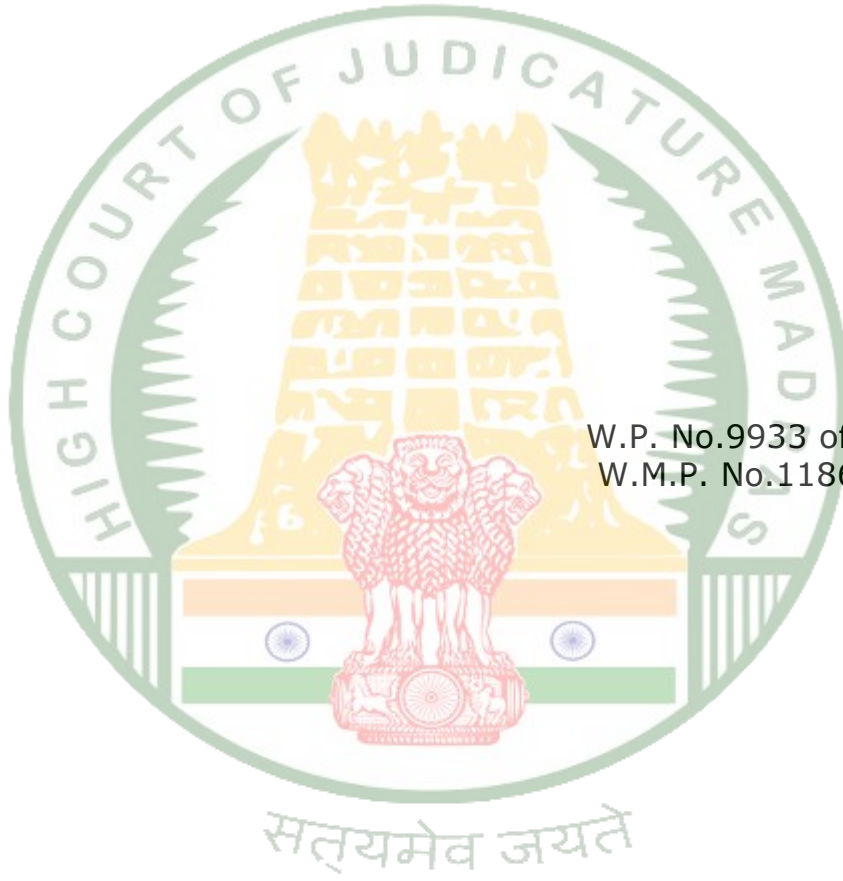
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T.RAJA, J.

vga



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