

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.04.2018

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THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.9997 of 2018 and
WMP.Nos.11947 to 11949 of 2018

1. M.Chennappan
2. K.Palanisamy

...Petitioners

Versus

1. State of Tamil Nadu
rep. by its Principal Secretary to Government,
Co-operation, Food and Consumer Protection
Department, Secretariat, Chennai-9.
 2. Tamil Nadu State Co-operative Societies Election
Commission rep. by its Commissioner,
No.273, Kamadhenue Supermarket,
1st Floor, Anna Salai, Chennai-18.
 3. The District Election Officer (Co-operative Societies),
Dharmapuri District.
 4. The Special Officer,
D.D.177, Chinnerimottupatti Primary Agricultural
Co-operative Society, Chinnerimottupatti,
Puzhuthikarai Post, Dharmapuri District.
- ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records dated 03.04.2018 on the file of the 4th respondent and quash the same as illegal and include the petitioners nomination dated 31.3.2018 received by the 4th respondent in the list of eligible candidates and to conduct election for the Board of Directors of the 4th respondent Society without rejecting the petitioners nomination.

For Petitioners : Mr.S.Doraisamy

For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader
for R1, 3 and 4
Mr.M.S.Palanisamy,
Standing Counsel for R2

ORDER

Questioning the impugned Proceedings dated 3.4.2018 issued by the 4th respondent and to quash the same as illegal and include the petitioners nomination dated 31.3.2018 received by the 4th respondent in the list of eligible candidates and to conduct election for the Board of Directors of the 4th respondent Society without rejecting the petitioner's nomination, the present Writ Petition has been filed.

2. When the matter is called, it is jointly submitted by the learned Special Government Pleader appearing for the respondents 1, 3 and 4 and the learned Standing Counsel of the 2nd respondent that the election to the 4th respondent Society was already over and the elected Board of Directors were already declared on 3.4.2018.

3. Recording the said submission, the Writ Petition is dismissed with liberty to the petitioners to approach the Election Tribunal under Section 90 of the Tamil Nadu Co-operative Societies

Act, 1983, if necessary. No costs. Consequently, connected Miscellaneous Petitions are closed.

23.04.2018

Index:Yes/No
Internet:Yes/No
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To

1. Principal Secretary to Government,
State of Tamil Nadu,
Co-operation, Food and Consumer Protection
Department, Secretariat, Chennai-9.
2. Commissioner,
Tamil Nadu State Co-operative Societies Election
Commission, No.273, Kamadhenue Supermarket,
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T.RAJA, J.
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