

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.11022 of 2018 and
W.M.P. Nos.12928 and 12929 of 2018

C.Neelamegam

... Petitioner

-vs-

1.The Election Commission,
Tamil Nadu Co-operative Societies,
No.273, Anna Salai,
Teynamepet, Chennai-18.

2.The District Election Officer/
Deputy Registrar of Co-operative Societies,
Mayiladuthurai Circle,
Nagapattinam District.

3.The Election Officer,
Z570, Neppathur Primary Agricultural
Co-operative Credit Society,
Neppathur, Sirkali Taluka,
Nagapattinam District.

4.Z570, Neppathur Primary Agricultural
Co-operative Credit Society,
rep. by its Secretary,
Neppathur, Sirkali Taluka,
Nagapattinam District.

5.P.Roopa Shanthi

6.R.Vijayalakshmi

7.I.Anjugam

8.R.Raja Rajan

9.L.Chandranathan

10.V.Balasubramanian

11.G.Natrajan

12.P.Amruthalingam

13.M.Kumar

14.G.Nandha Gopal

15.P.Ganesan

respondents 5 to 15 having office at
Z570, Neppathur Primary Agricultural
Co-operative Credit Society,
Neppathur, Sirkali Taluk,
Nagapattinam District. ... Respondents

Prayer: Petition filed under Article 226 of the
Constitution of India, praying for issuance of a Writ of
Certiorarified Mandamus to call for the records on the file of
the third respondent in their declaration of result dated
02.04.2018 published under Rule 52(9)(a) of the Tamil Nadu Co-
operative Societies Rules, 1988 and quash the same as illegal
and to further direct the respondents to conduct election to the
fourth respondent society in a fair and transparent manner as
per Section 52(6) of Tamil Nadu Co-operative Societies Rules,
1988.

For Petitioner : Mr.M.R.Kuyilan

For Respondents: Mr.M.S.Palanisamy,
Standing Counsel for R1

Mr.L.P.Shanmuga Sundaram,
Special Government Pleader for R2 to R4

ORDER

This writ petition has been filed seeking declaration of
result dated 02.04.2018 published under Rule 52(9)(a) of the
Tamil Nadu Co-operative Societies Rules, 1988 and a direction to
the respondents to conduct election to the fourth respondent
society in a fair and transparent manner as per Section 52(6) of
Tamil Nadu Co-operative Societies Rules, 1988.

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 the above
prayer.

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
02.04.2018, the petitioner 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.Ps are also dismissed.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The Election Commission,
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3.The Election Officer,
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Co-operative Credit Society,
Neppathur, Sirkali Taluka,
Nagapattinam District.

4.Z570, Neppathur Primary Agricultural
Co-operative Credit Society,
rep. by its Secretary,
Neppathur, Sirkali Taluka,
Nagapattinam District.

+1cc to M/s.L.P.Shanmugasundaram Advocate Sr.No.32961

+1cc to the Government Pleader SR.No.33074

+1cc to M/s.M.R.Kuilan Advocate SR.No.32985

W.P. No.11022 of 2018

SDR 22.05.2018