

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.4.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.11184 of 2018 and W.M.P.No.13117 of 2018

1 R.Vaithi
2 P.Venkatachalam
3 R.Panneerselvam
4 M.Sagadevan
5 G.Ramachandran
6 Lakshmi
7 M.Marudhyan
8 A.Subramaniyan ... Petitioners

VS.

1 The Tamilnadu State Co-operative Election Commission,
Rep. by its Commissioner,
Kamadenu Super Market I Floor,
No.273, Anna Salai,
Chennai 600 018.

2 M.Raja
Deputy Registrar (Dairy Development)/
District Election Officer,
Nattamai Building,
Salem 636 001.

3 Selladurai
Secretary/Electoral Officer,
ED521 Thandavarayapuram Milk Producers
Co-operative Society Ltd.,
Thandavarayapuram Post,
Attur Taluk, Salem District.

4 The Special Officer,
ED521 Thandavarayapuram Milk Producers
Co-operative Society Ltd.,
Thandavarayapuram Post,
Attur Taluk, Salem District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus to call for the records of the impugned directors list dated 23.4.2018 published by the third respondent and consequently to direct the respondents to conduct the

election for the Board of Directors of 4th respondent society namely ED521 Thandavarayapuram Milk Producers Co-operative Society Ltd., situated at Thandavarayapuram Post, Attur Taluk, Salem District in free and fair manner.

For Petitioner : Mr.M.Rajendiran
For Respondent : Mr.M.S.Palanisamy
Standing counsel
For Respondent
No. 2 to 4 : Mr.L.P.Shanmugasundaram
Spl.Govt. Pleader

O R D E R

The writ petition is directed against the impugned order of declaration of elected board of directors of 4th respondent society namely ED521 Thandavarayapuram Milk Producers Co-operative Society Ltd., situated at Thandavarayapuram Post, Attur Taluk, Salem District.

2 Mr.M.S.Palanisamy, learned Standing counsel for the first respondent and Mr.L.P.Shanmugasundaram, learned Special Govt. Pleader for the respondents 2

and 3 jointly submitted that the prayer in the writ petition can be sought for only before the Election Tribunal under Section 90 of the Tamilnadu Co-operative Societies Act since election to the Director of Co-operative Societies was over on 27.4.2018.

3 In view of the submission made by the learned Standing counsel and the learned Special Govt. Pleader appearing for the respondents, the petitioner is hereby directed to work out his remedy before the Election Tribunal under Section 90 of the said Act, within a period of 60 days from the date of declaration of results.

4 The writ petition is disposed of with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

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To

- 1 The Tamilnadu State Co-operative Election Commission,
Rep. by its Commissioner,
Kamadenu Super Market I Floor,
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Chennai 600 018.
- 2 The Deputy Registrar (Dairy Development)/
District Election Officer,
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Salem 636 001.
- 3 The Secretary/Electoral Officer,
ED521 Thandavarayapuram Milk Producers
Co-operative Society Ltd.,
Thandavarayapuram Post,
Attur Taluk, Salem District.
- 4 The Special Officer,
ED521 Thandavarayapuram Milk Producers
Co-operative Society Ltd.,
Thandavarayapuram Post,
Attur Taluk, Salem District.

+lcc to Mr.L.P.Shanmugasundaram, Advocate SR.No.32947
+lcc to Government Pleader SR.No.33080

SSV(CO)
GN(31/05/2018)

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