

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.11548 of 2018 and
WMP.No.13498 of 2018

Sekar

.. Petitioner

-vs-

1. The Election Commissioner,
Co-operative Society,
No.273, Anna Salai, Teynampet, Chennai-15.
2. The District Election Officer/Deputy Registrar,
District Co-operative Societies,
Ariyalur District.
3. Election Officer,
TYSPL-84 Primary Agricultural Co-operative
Credit Society, Kottiyal,
Udaiyarpalayam Taluk,
Ariyalur District.

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 2nd respondent to include the petitioner nomination in the final valid candidates list and then only to proceed to conduct the election for the Board of Directors of the 3rd respondent Society without rejecting the name of the petitioner nomination and by withdrawing the published present list of candidates.

For Petitioner :: Mr.Ilayaraja Kandasamy

For Respondents :: Mr.M.S.Palanisamy,
Standing Counsel for R1
Mr.L.P.Shanmugasundaram,
Spl. Govt. Pleader for R2 & 3

ORDER

The Writ Petition has been filed seeking to issue of a Writ of Mandamus, directing the 2nd respondent to include the petitioner's nomination in the final valid candidates list and then only to proceed to conduct the election for the Board of Directors of the 3rd respondent Society without rejecting the

name of the petitioner's nomination and by withdrawing the published present list of candidates.

2. When the matter is called, Mr.M.S.Palanisamy, learned Standing Counsel for the respondent Election Commission and Mr.L.P.Shanmugasundaram, learned Special Government Pleader for the respondent Co-operative Society submitted that the prayer in the Writ Petition has already become infructuous since the election to the Board of Directors of the 3rd respondent Society was already over on 27.4.2018

3. Recording the said submission, the Writ Petition is dismissed with liberty to the petitioner to work out his remedy by approaching the Election Tribunal under Section 90 of the Co-operative Societies Act, within a period of 60 days from the date of election, if necessary. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

tsi

To

1. The Election Commission, Co operative Society,
No.273, Kamadhenu Supermarket,
1st Floor, Anna Salai, Chennai-18.
2. The District Election Officer/Deputy Registrar,
District Co-operative Societies,
Ariyalur District.
3. Election Officer,
TYSPL-84 Primary Agricultural Co-operative
Credit Society, Kottiyal,
Udaiyarpalayam Taluk,
Ariyalur District.

+1cc to Mr.L.P.SHANMUGASUNDARAM, Advocate, S.R.No.32971
+1cc to the Government Pleader, S.R.No.33072

W.P.No.11548 of 2018

RV (CO)
TR(15/05/2018)