

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.04.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.11574 of 2018 and
WMP.Nos.13546 and 13547 of 2018

1. Radhakrishnan
2. Santhiyappan
3. Vadamalai
4. Baskaran
5. A.Sankar
6. M.Poonnurangam
7. K.Munirathinam

...Petitioners

Versus

- 1.The Election Commission,
Co-operative Society,
No.273, Anna Salai, Teynampet,
Chennai-18.
- 2.Joint Director,
Fish Development Department Zone,
Santhom Highway,
Chennai-28.
- 3.District Election Officer/Assistant Director,
Fish Development Department,
No.2/601, East Coast Road,
Chinna Neelankarai,
Chennai-115.
- 4.Election Officer,
FMC-105, Kunnavakkam Domestic (Ulnattu)
Fishermen Co-operative Society,
Fish Department Inspector Office,
Mahalinga Nagar, Near Periyar Nagar,
Kanchipuram and District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd 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 petitioner's nomination

and by withdrawing the published present list of candidates.

For Petitioners : Mr.Ilayaraja Kandasamy

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

Mr.L.P.Shanmugasundaram,
Special Government Pleader
for R2 to 4

O R D E R

This Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 3rd 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 petitioner's nomination and by withdrawing the published present list of candidates.

2. When the matter is called, it is jointly represented by the learned Standing Counsel for the 1st respondent and the learned Special Government Pleader for the respondents 2 to 4 that the election to the 4th respondent society has already taken place on 23.4.2018 and the results were declared. Therefore, nothing survives in this matter.

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.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Election Commission,
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Chennai-18.

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Fish Department Inspector Office,
Mahalinga Nagar, Near Periyar Nagar,
Kanchipuram and District.

+1cc to Mr.L.P.Shanmugasundaram,, Advocate, S.R.No.32962
+1cc to the Government Pleader, S.R.No.33067

W.P.No.11574 of 2018

RV (CO)
CS/30/05/18



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