

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.04.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.11595 of 2018

T.Geetha

...Petitioner

Versus

1. Tamil Nadu State Co-operative Societies
Election Commissioner,
No.273, Kamadhenu Super Market Building,
1st Floor, Anna Salai, Chennai-18.
 2. The District Election Officer
(Co-operative Societies),
Vellore District.
 3. The Election Officer,
N.C.1226, Guruvarajapettai Handloom
Weavers Co-operative Production and Sales
Society, Guruvarajapettai,
Arakkonam Taluk, Vellore District.
- ... Respondents

Prayer:

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 27.4.2018 and pass orders to rectify the errors in the Voters List for the forthcoming election to the 3rd respondent before the election in respect of restoration of membership of illegally removed voters and deletion of unqualified members who are included in the voters list without the approval of General Body and the Registrar of Co-operative Societies.

For Petitioner : Mr.R.Neelakandan

For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader
for R2 and R3
Mr.M.S.Palanisamy,
Standing Counsel for R1

O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 27.4.2018 and pass orders to rectify the errors in the Voters List for the forthcoming election to the 3rd respondent before the election in respect of restoration of membership of illegally removed voters and deletion of unqualified members who are included in the voters list without the approval of General Body and the Registrar of Co-operative Societies.

2. Learned Counsel appearing for the petitioner submitted that when the voters list was published on 4.4.2018 with only 513 voters, again another voters list was also published on 26.4.2018 with only 404 names. This was objected to by the petitioner by giving a representation dated 27.4.2018. Therefore, if a direction is issued to include the illegally removed members, no prejudice would be caused, he further pleaded.

3. Learned Special Government Pleader appearing for the respondents 2 and 3 submitted that now the election which is scheduled to be held on 7.5.2018 has been postponed and a proposal has been sent for postponement of the election. Now the Election Commissioner has to take a final decision in this matter. Further, the learned Special Government Pleader submitted that before the Election Commissioner takes a final decision on the proposal submitted by the respondents 2 and 3, they will take note of the representation of the petitioner dated 27.4.2018 and dispose of the same on merits and in accordance with law.

4. Heard Mr.M.S.Palanisamy, learned Standing Counsel who takes notice for the 1st respondent.

5. Recording the submission of the learned Special Government Pleader for the respondents 2 and 3, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. Election Commissioner,
Tamil Nadu State Co-operative Societies,
No.273, Kamadhenu Super Market Building,
1st Floor, Anna Salai, Chennai-18.
2. The District Election Officer
(Co-operative Societies),
Vellore District.
3. The Election Officer,
N.C.1226, Guruvarajapettai Handloom
Weavers Co-operative Production and Sales
Society, Guruvarajapettai,
Arakkonam Taluk, Vellore District.

+1cc to Mr.R.Neelakandan, Advocate, S.R.No.32910

+1cc to Mr.L.P.Shanmugasundaram,, Advocate, S.R.No.32968

+1cc to the Government Pleader, S.R.No.33062

W.P.No.11595 of 2018

RSK(CO)
CS/07/06/18



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