

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 07.09.2018
CORAM
THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No. 22521 to 22523 of 2018
and
W.M.P.Nos. 26376 to 26381 of 2018

- 1.Maheswaran ... Petitioner in W.P.No.22521 of 2018
2.Krishnasamy ... Petitioner in W.P.No.22522 of 2018
3.Rajendran ... Petitioner in W.P.No.22523 of 2018

Vs

- 1.Government of Tamil Nadu,
Rep.by the Principal Secretary to Government
Co-operation, Food and Consumer Protection
Department, Secretariat,
Chennai-600 009.
2.Tamil Nadu State Co-operative societies Election
Commission Rep.by its Commissioner,
No.273, Kamadhenu Supermarket,
1st Floor, Anna Salai,
chennai-600 018.
3.District Election Officer(Co-operative Societies),
Coimbatore District.
4.Special Officer,
C.H.112-the Somanur Powerloom Weaver's
Co-operative production and Sales Society,
79, Murugan Rice Mill Compound,
Main Road, Somanur,
Coimbatore-641 663 ... Respondents in all W.Ps

PRAYER in all W.Ps. : Petitions filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus to call for the records dated 27.08.2018 on the file of the fourth respondent and quash the same as illegal and include the petitioners nominations dated 25.08.2018 received by the fourth respondent in the list of eligible candidates and to conduct election for the Board of Directors of fourth respondent society without rejecting the petitioner's nomination.

For Petitioner in all W.Ps. :Mr.A.Gokulakrishnan

For Respondents in all W.Ps.:Mrs.K.Bhuvaneshwari
for R1

Mr.L.P.Shanmugasundaram
Special Government Pleader
for R2 to R4

O R D E R

These writ petitions have been filed challenging the election to the Board of Directors conducted to the fourth respondent society.

2. Today when the matters are taken up for hearing, Mr.L.P.Shanmugasundaram, the learned Special Government Pleader, appearing for the respondents 2 to 4 submitted that already election to the Board of Directors of the fourth respondent society has been completed and the result has also been declared.

3. In such circumstances, once election is over, the fourth respondent has no power to consider the dispute and the only remedy available to the petitioners is to challenge the election under Section 90 of the Tamilnadu Co-operative Societies Act . Hence, the prayer sought for in the present Writ Petition cannot be granted.

4. In view of the above, these writ petitions stands dismissed with liberty to the petitioners to file election petition under Section 90 of the Tamil Nadu Co-operative Societies Act. On filing such petition, the competent authority is directed to dispose the same within a period of 3 months after giving sufficient opportunity to the petitioners. Consequently, connected Miscellaneous Petitions are also closed. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1. Government of Tamil Nadu,
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Co-operation, Food and Consumer Protection
Department, Secretariat,
Chennai-600 009
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Co-operative production and Sales Society,
79, Murugan Rice Mill Compound,
Main Road, Somanur,
Coimbatore-641 663

+1cc to Mr.L.P.Shanmugasundaram, Advocate sr.no.62210
+1cc to Mr.A.Gokulakrishnan, Advocate sr.no.62863
+2cc to Mr.A.Gokulakrishnan, Advocate sr.no.62864 & 62865
(14/09/18)
+1cc to Government Pleader sr.no.62674

W.P.No. 22521 to 22523 of 2018
and
W.M.P.Nos. 26376 to 26381 of 2018

nr 12/09/2018

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