

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.05.2018

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.11752 of 2018

and

W.M.P.Nos.13724 and 13725 of 2018

K.Sivakumar

...Petitioner

Versus

1.The Commissioner,
Tamil Nadu State Co-Operative Societies
Election Commission,
Kamadenu Super Market Building,
273, Scheme Road, Subbarayan Nagar,
Teynampet, Chennai,
Tamil Nadu - 600 018.

2.The District Election Officer / Deputy Registrar,
No.206, Co-Operative Society,
Pulavari Post,
Salem District - 636 010. .. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, to call for the records relating to notification dated 21.04.2018, which was published by the respondent in Thina Thanthi News Paper dated 23.4.2018 and quash the same and direct the respondents to conduct election after the removal of the deceased name in the voter's list 2018 of 206-Co-operative Society which is situated in Pulavari Post, Salem District.

For Petitioner
For Respondents

: Mr.A.Rajakumar
: Mr.M.S.Palaniswamy for R1
Mr.L.P.Shanmugasundaram
Special Government Pleader for R2

O R D E R

Mr.M.S.Palaniswamy, learned Counsel takes notice for the first respondent and Mr.L.P.Shanmugasundaram, learned Special Government Pleader, takes notice for the second respondent. By consent of both parties, the Writ Petition is taken up for final hearing at the admission stage itself.

2.This writ petition has been filed seeking issuance of writ of certiorarified mandamus, to call for the records relating to notification dated 21.04.2018, published by the respondent in the local daily, calling for nomination for the election of S.206, Pulavari Primary Agricultural Society, situated at Pullavari Post, Salem District.

3. The contention of the learned counsel for the petitioner is that the electoral roll which carries the names of dead persons is given to the electoral office and same has been displayed in the notice board. The learned counsel for the petitioner further submitted that due to unconducive atmosphere in conducting the election, the election officer has postponed sine die on 02.05.2018.

4. In the said circumstances, it is suffice, the electoral officer is directed to consider the representation given by the petitioner herein regarding the names of the deceased persons included in the voter list. After pruning the list, the electoral officer shall proceed with the election process. The petitioner herein shall make a fresh representation to the electoral officer with details of the deceased persons found in the voter list. The electoral officer can consider the same in accordance with law.

5. With the above direction, this writ petition is disposed of. However there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Vacation Officer

//True Copy//

Sub Assistant Registrar

ms

To

1.The Commissioner,
Tamil Nadu State Co-Operative Societies
Election Commission,
Kamadenu Super Market Building,
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2.The District Election Officer / Deputy Registrar,
No.206, Co-Operative Society,
Pulavari Post, Salem District - 636 010.

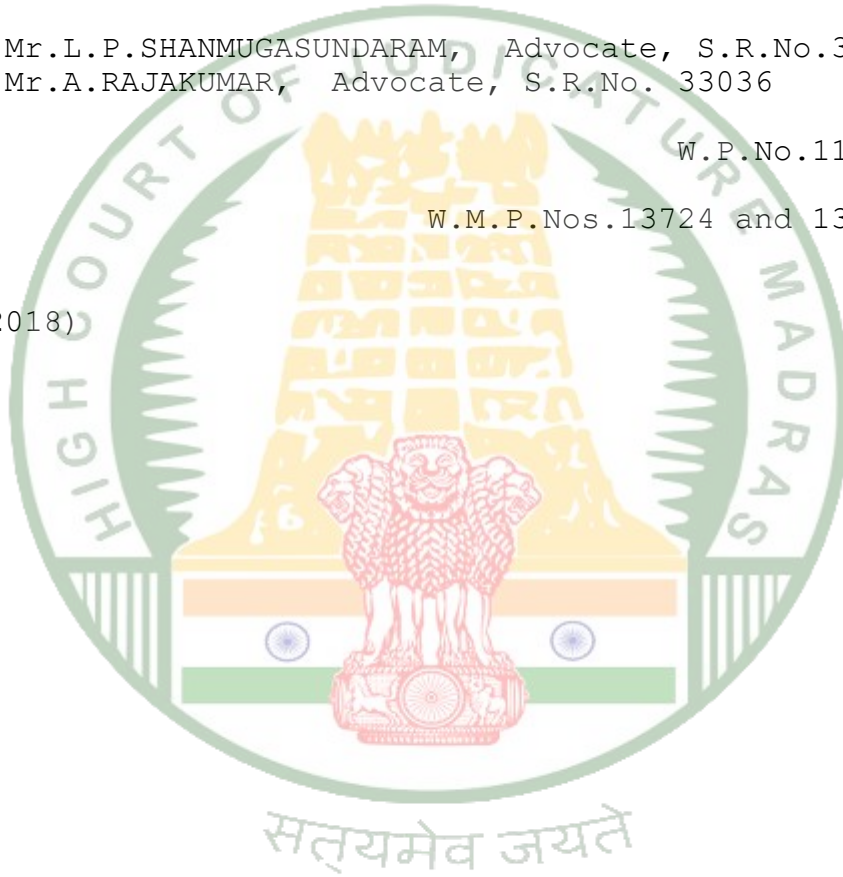
+1cc to Mr.L.P.SHANMUGASUNDARAM, Advocate, S.R.No.33143

+1cc to Mr.A.RAJAKUMAR, Advocate, S.R.No. 33036

W.P.No.11752 of 2018
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SG(CO)
TR(09/05/2018)



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