

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P. 21805 of 2018

and

W.M.P.s 25583 & 25584 of 2018

K.S.Govindaraj ... Petitioner

Vs

1. The Registrar of Cooperative Societies,
Kilpauk, Chennai-600 010.
 2. The Joint Registrar,
Cooperative Societies,
Tiruppur District.
 3. The Deputy Registrar/District Election
Officer, Cooperative Societies,
Dharapuram, Tiruppur District.
 4. The Election Officer,
Dharapuram Cooperative Urban Bank
Ltd., (No.7252),
No.248, Big Bazar Street,
Dharapuram-638 656.
 5. The Voter List Officer,
The Dharapuram Cooperative Urban
Bank Ltd., (No.7252),
No.248, Big Bazar Street,
Dharapuram-638 656.
- ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for entire records pertaining to the proceedings No.Nil, dated 20.08.2018 passed by the 5th respondent and quash the same as illegal and consequently, direct the respondents to include the name of the petitioner in electoral list conducted in the

Dharapuram Cooperative Urban Bank Ltd., (No.7252), Dharapuram,
Tiruppur District.

For Petitioner : Mr.MA.P.Thangavel

For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader
for R1 to R3

O R D E R

This writ petition has been filed rejecting the petitioner's application to include his name in the voters list.

2. The grievance of the petitioner is that he is a member of the 4th respondent society from the year 2012 with membership No.23645. For the election to the Board of Directors, the 5th respondent published the electoral list on 17.09.2018, wherein the petitioner's name was not found place. Hence, he has made a representation to the Election Officer and the Election Officer after considering his representation, now rejected the petitioner's request. Challenging the said rejection, the present Writ Petition has been filed by the petitioner.

3. Earlier, when the matter came up for hearing, it was represented on behalf of the respondents society that the petitioner is not a member of the society and even in the voters list published in the year 2013, his name was not found place in the electoral list. Wherein the petitioner with the help of other employees of the society has tampered the society records and inserted his name, and for the alleged allegation, an enquiry was ordered under Sec.81 of the Tamil Nadu Cooperative Societies Act. In the said circumstances, this Court directed the Deputy Registrar to complete the enquiry and file the report.

4. Today, when the matter was taken up for hearing, the counsel appearing for the respondents submitted the enquiry report. On perusal of the enquiry report, the enquiry officer finds that the petitioner with the help of other employees of the society has tampered the society's records and also included his name in the voters list.

5. In view of the above report, this Court is not inclined to entertain the Writ Petition filed by the petitioner. However, the respondents are directed to proceed further on the enquiry report in accordance with law. The respondents are also directed to furnish the copy of the enquiry report to the petitioner within a period of two weeks from the date of receipt of the copy of this order.

6. In the result, this Writ Petition stands dismissed. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rpp
To

1. The Registrar of Cooperative Societies,
Kilpauk, Chennai-600 010.
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+1cc to the Government Pleader sr.75309
+1cc to Mr.Ma.P.Thangavel, Advocate Sr.75415

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ssv[co]
srg 10/12/2018