

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2018

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.23286 of 2018

M.Gopinathan

... Petitioner

Vs

1. Tamil Nadu State Co-operative Societies
Election Commissioner,
No.273, Kamadhenu Supermarket, I Floor,
Anna Salai,
Chennai - 600 018.
2. District Election Officer (Co-operative Societies),
Vellore District.
3. Election Officer
C-98, Sholingur Urban Co-operative Bank Ltd.,
Sholingur,
Vellore District.

..Respondents

Prayer:- This Writ Petition has been filed under Article 226 of the Constitution of India, for a Writ of Mandamus directing the Respondents to declare the results in respect of the election conducted to the 3rd Respondent society by considering the petitioner's representation dt. 14.08.2018 within a reasonable time to fixed by this Hon'ble Court and pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of this case and thus render justice.

For Petitioner : Mr.R.Girirajan

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

Mr.L.P.Shanmugasundaram,
Special Government Pleader
for R2 and R3.

ORDER

This writ petition has been filed seeking a direction to the respondents to declare the results in respect of the election conducted to the third respondent society.

2.The grievance of the petitioner is that the petitioner is one of the members of the third respondent society and he also contested the election for the post of Board of Directors. After election was over, the result was not declared by the respondents. Hence, the petitioner has made a representation dated 14.08.2018 to the respondents to declare the results.

3.Mr.L.P.Shanmugasundaram, learned Special Government Pleader, appearing for the respondents 2 and 3 would submit that earlier, before conducting election, the petitioner has filed a writ petition in W.P.No.9852 of 2018 seeking a direction to the Election Officer to video coverage the entire election process. Similar writ petitions were also filed for the very same relief. Hence, the above batch of writ petitions have been listed before a Division Bench of this Court. Since, the above writ petition was pending before the Division Bench, election results for the post of Board of Directors of the third respondent society were not published.

4.Today, it is submitted by the learned Special Government Pleader appearing for the respondents 2 and 3 that since, orders have been passed in the batch of writ petitions, the third respondent/Election Officer may pass suitable orders. The said statement is recorded.

5.Mr.M.S.Palaniswamy, learned Standing Counsel appearing for the first respondent would submit that a suitable direction may be issued to the third respondent to declare the election results held for the post of Board of Directors of third respondent society.

6.In the circumstances, since, there is no allegation of any illegality or irregularity in conducting election for the post of Board of Directors of the third respondent society and the results were not published only on the ground that the earlier writ petition filed by the petitioner was pending before the Division Bench of this Court, the first respondent is directed to issue necessary direction to the third respondent to declare results of the election of Board of Directors for the third respondent society which was conducted on 07.05.2018, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

jbm

To

1. Tamil Nadu State Co-operative Societies
Election Commissioner,
No.273, Kamadhenu Supermarket, I Floor,
Anna Salai,
Chennai - 600 018.
2. District Election Officer (Co-operative Societies),
Vellore District.
3. Election Officer
C-98, Sholingur Urban Co-operative Bank Ltd.,
Sholingur,
Vellore District.

+1cc to Mr.R.Neelakandan, Advocate, S.R.No. 62861
+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No. 63069
+1cc to the Government Pleader, S.R.No. 63435

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GN(24/10/2018)



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