

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.09.2018

CORAM
THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P. 23731 of 2018
and
W.M.P.s 27681 & 27682 of 2018

1. P.Samynathan
2. M.Karuppusamy
3. R.Kalliappan
4. S.Shanmugam
5. V.Senbagavalli
6. S.Vijaya
7. K.Mailathal
8. K.Palanisamy

.... Petitioners

Vs

1. State Election Officer,
Co-operative Society Election Wing,
Chennai.
2. The District Joint Co-operative
Registrar, Gobichettipalayam,
Gobi Taluk, Erode Dt.
3. The Deputy Registrar,
Office of the Deputy Registrar
of Co-operative Society,
Gobichettipalayam, Erode Dt.
4. Election Officer,
K.177, Getticheyur Co-operative
Society, Nambiyur Taluk,
Erode Dt.

5. S.K.Somasundaram
6. N.M.Swamiyappan
7. P.Palanisamy
8. M.Sivakumar,
9. K.Murthy
10. G.M.Eswaramurthy
11. P.Palaniammal
12. S.Dhanalakshmi
13. S.Kuppammal
14. P.Amudha
15. R.Gurunathanal

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records made in Form-3 dated 27.08.2018 by the K.177 Getticheviyur Primary Agricultural Co-operative Society Election Officer and quash the same and further direct the respondents 1 to 4 to issue a fresh notification for conduct of the election.

For Petitioners : Mr.B.Sampathkumar

For Respondents : Mr.M.S.Palaniswamy
Standing Counsel for R-1

Mr.L.P.Shanmugasundaram
Special Government Pleader
for Respondents 2 to 4

O R D E R

This Writ Petition has been filed challenging the election conducted to the Board of Directors to the 4th respondent society.

2. According to the petitioners, the election to the 4th respondent society, the petitioners have filed their nominations and without passing any order whatsoever, the 4th respondent Election Officer has declared the respondents 5 to 15 as the Board of Directors to the 4th respondent society. Hence, the petitioners have filed the present Writ Petition challenging the election of the respondents 5 to 15.

3. Admittedly, challenging the election, the petitioners having a remedy to file a petition under Sec.90 of the Tamil Nadu Co-operative Societies Act, before the competent authority, without availing such remedy, the petitioner cannot maintain the Writ Petition.

4. In view of the above, the present Writ Petition stands dismissed with a liberty to the petitioners to file a petition under Sec.90 of Tamil Nadu Co-operative Societies Act. No costs. Consequently, the connected Writ Miscellaneous Petitions are also dismissed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rpp

To

- 1.State Election Officer,
Co-operative Society Election Wing,
Chennai.
- 2.The District Joint Co-operative Registrar,
Gobichettipalayam,
Gobi Taluk, Erode Dt.
- 3.The Deputy Registrar,
Office of the Deputy Registrar
of Co-operative Socceity,
Gobichettipalayam,
Erode Dt.
- 4.Election Officer,
K.177, Getticheyur Co-operative Society,
Nambiyur Taluk,
Erode Dt.

+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.63077.
+1cc to the Government Pleader, S.R.No.62972.

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and
W.M.P.s 27681 & 27682 of 2018

VSNI I (CO)

rrs 08/10/2018



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