

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P. 23786 of 2018
and
W.M.P. 27732 of 2018

N.Murugan

... Petitioner

Vs

1. Tamil Nadu State Co-operative Societies Election Commission, rep. by the Commissioner, No.273, Kamadhenu Supermarket, 1st Floor, Anna Salai, Chennai-600 018.
2. The District Election Officer, Co-operative Department, Dharmapuri Dt.
3. The Election Officer, K.K.225, Maniyathahalli Primary Agricultural Co-operative Credit Society Ltd., Maniyathahalli Village, Nallampalli Tk., Dharmapuri Dt.
4. The Secretary, K.K.225, Maniyathahalli Primary Agricultural Co-operative Credit Society Ltd., Maniyathahalli Village, Nallampalli Taluk, Dharmapuri Dt.
5. R.Sivasakthi
6. G.Sivakumar residing at K.K.225, Primary Agricultural Cooperative Society, Maniyathahalli Village, Nallampalli Tk., Dharmapuri Dt.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Declaration, declaring the selection of President to the 4th respondent society in an election conducted by the 3rd respondent on 07.09.2018 as null and void, unconstitutional, illegal and non-est in law and further direct the respondents 1 and 2 to conduct the fresh election to the 4th respondent society by strictly following the Tamil Nadu Cooperative Societies Rules, 1988.

For Petitioner : Mr.J.Raja Rao

For Respondents : Mr.M.S.Palaniswamy
Standing Counsel for R-1
Mr.L.P.Shanmugasundaram
Special Government Pleader
for Respondents 2 to 6

O R D E R

This Writ Petition has been filed for declaration declaring the selection of President to the 4th respondent society in the election conducted by the 4th respondent society as null and void.

Admittedly, it is a settled law, challenging the election, the petitioner is having only remedy available to him to file a petition under Sec.90 of the Tamil Nadu Co-operative Societies Act before the competent authority. In view of the same, the petitioner is permitted to withdraw the Writ Petition with a liberty to file a petition under Sec.90 of Tamil Nadu Co-operative Societies Act. No costs. Consequently, the connected Writ Miscellaneous Petition is also closed.

सत्यमेव जयते

Sd/-

Deputy Registrar

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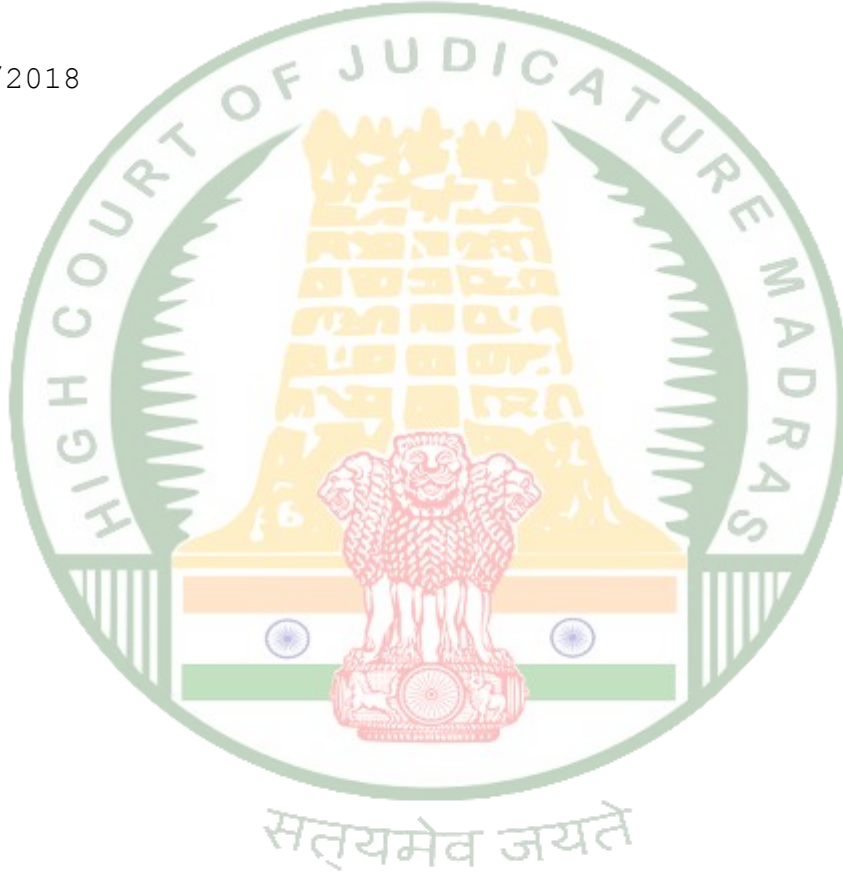
Sub Assistant Registrar

rpp

+lcc to Mr.J.Raja Rao, Advocate Sr.63232
+lcc to L.P.Shanmugasundaram, Advocate Sr.63067

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srg 26/09/2018



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