

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No.12851 of 2018

P.Viswalingasamy

... Petitioner

Vs

- 1.The State Election Commissioner,
Co-operative Election,
Kamadhenu Super Market Building,
No.273, Scheme Road, Subburaya Nagar, Teynampet,
Anna Salai, Chennai-18.
- 2.The District Election Officer/
Deputy Registrar of Co-operative Societies
Tiruppur Circle, Tiruppur, Tiruppur District.
- 3.The Election Officer,
K.2040, Manickapuram Pudur Primary Agricultural
Co-operative Credit Society,
Manickapuram Pudur, Manur Post, Vijayapuram Via,
Tiruppur District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to dispose the representation filed by the petitioner on 03.05.2018 by giving opportunity to the petitioner within a stipulated time as this Court may fix.

For Petitioner :Mr.C.Prakasam

For Respondents :Mr.M.S.Palaniswamy
Standing Counsel for R1
Mr.L.P.Shanmugasundaram
Special Government Pleader
for R2 and R3

O R D E R

This writ petition has been filed seeking direction to the first respondent to dispose the petitioner's representation dated 03.05.2018.

2. The grievance of the petitioner is that, the election to the Board of Directors of the third respondent society was scheduled to be held on 02.05.2018, in which 46 nominations had been filed. But, the third respondent/Election Officer has rejected 35 nominations without assigning any reason and declared 11 candidates as Board of Directors. Being aggrieved over the same, the petitioner sent a complaint to the first respondent on 03.05.2018, but that was not considered by the first respondent. Hence the present writ petition has been filed.

3. Mr.M.S.Palaniswamy, the learned Standing Counsel, appearing for the first respondent would submit that the petitioner's grievance has been covered by the order passed by the Division Bench of this Court dated 03.08.2018 in W.P.(MD) Nos.17730/2018 etc batch, wherein the Division Bench has held that all the pending complaints are to be referred to the zonal Committee chaired by the retired Hon'ble Judge of this Court. Hence, it is submitted that no further order is required in this writ petition.

4. In view of the order of the above said Division Bench, the only remedy now open to the petitioner is to approach the committee to redress his grievances and this Court cannot grant the relief sought in the writ petition.

5. In the above circumstances, as the petitioner have already filed a complaint before the authorities, it is open to them to approach the concern Zonal Committee for redressal of his grievance.

6. With the above observation, the writ petition stands disposed of. No costs.

s/d-

Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

mrp/rst
To

1.The State Election Commissioner,
Co-operative Election,
Kamadhenu Super Market Building,
No.273, Scheme Road, Subburaya Nagar, Teynampet,
Anna Salai, Chennai-18.

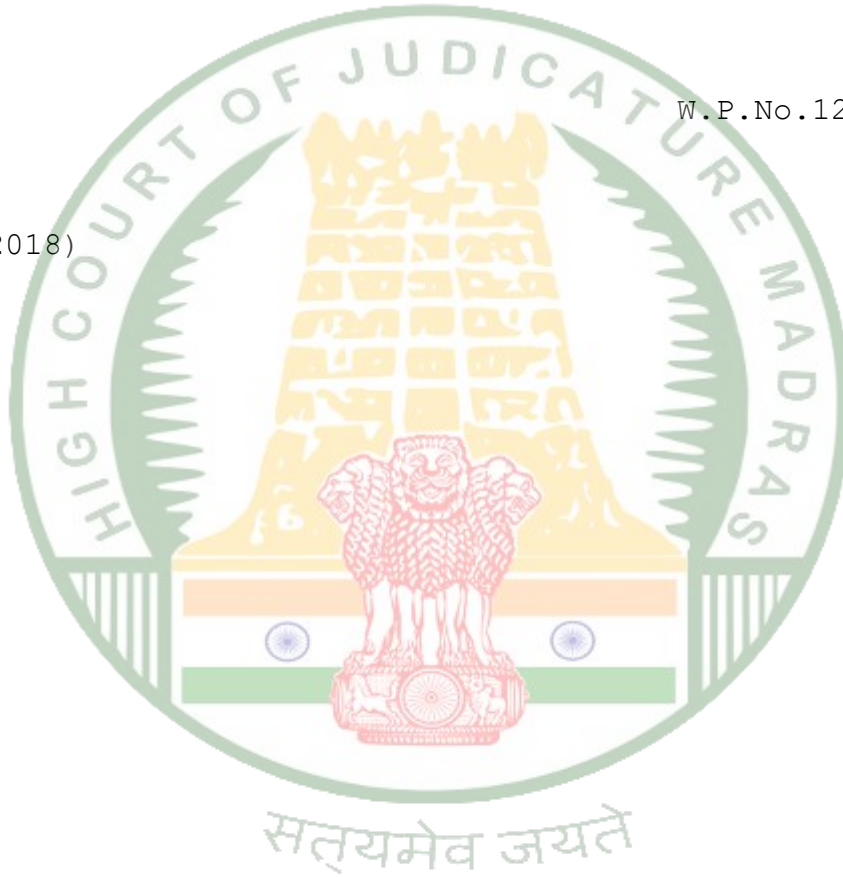
2.The District Election Officer/
Deputy Registrar of Co-operative Societies
Tiruppur Circle, Tiruppur, Tiruppur District.

3.The Election Officer,
K.2040, Manickapuram Pudur Primary Agricultural
Co-operative Credit Society,
Manickapuram Pudur, Manur Post, Vijayapuram Via,
Tiruppur District.

+1 CC to Mr.C.Prakasam, Advocate sr 65098.(24/09/2018)

W.P.No.12851 of 2018

SP(24/09/2018)



WEB COPY