

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 13.08.2018
CORAM
THE HON'BLE MR.JUSTICE V.BHARATHIDASAN
W.P.No.12881 of 2018

Rayappan

.. Petitioner

vs

- 1 Government of Tamilnadu,
Rep.by its Secretary,
Co-operative, Food and
Consumer Protection Department,
Fort St.George, Chennai-9.
- 2 The Tamilnadu State Cooperative Societies Election Commission,
Rep.by its Commissioner,
Kamadenu Super Market I Floor,
No.273, Anna Salai, Chennai-600 018.
- 3 Registrar of Co-operative Societies,
170, N.V.Natrajan Maaligai,
E.V.R.High Road, Kilpauk, Chennai 10.
- 4 The Joint Registrar of Co-operative
Societies(Credit), District Election Officer,
New Collectorate, Singer post,
Coonoor.
- 5 The Returning Officer,
for Nilgiris District Plantation Workers Cooperative
Thrift and Credit Society Ltd. No.J-188 Coonoor-1.
- 6 Nilgiris District Plantation Workers Cooperative
Thrift and Credit Society Ltd. No.J-188 Coonoor-1
Rep.by its Secretary.
- 7 The Superintendent of Police,
Nilgiris District,
Upper Bazaar, Ooty, Tamil Nadu 643 001.

.. Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to conduct the free and fair election for the posts of Office bearers/Members of J-188, Nilgiris District Plantation Workers Co-operative Thrift and Credit Society Ltd., Coonoor-1 within stipulated period with video coverage of entire election and consequently direct the 7th respondent to provide adequate police protection.

For Petitioner	:	Mr.C.M.Mohanasundaram
For Respondents 1, 3 to 6	:	Mr.L.P.Shanmugasundaram, Spl.G.P
For Respondent-2	:	Mr.M.S.Palanisamy Standing counsel
For Respondent 7	:	Mr.A.N.Thambidurai, Spl.G.P

O R D E R

This writ petition has been filed seeking a direction to the respondents to conduct the election to the sixth respondent society by taking video coverage and also by providing adequate police protection.

2 According to the petitioner, the election to the Board of Directors of the sixth respondent/society earlier scheduled to be held on 07.05.2018, but due to some law and order problem, the election has been stopped. Now as per the orders passed by the authorities the election is likely to be resumed, apprehending that the law and order problem may arise. The petitioner has filed the present writ petition with the aforesaid prayer.

3 Mr.L.P.Shanmugasundaram, learned Special Government Pleader appearing for the respondents 1,3 to 6 has submitted that, earlier election has been stopped due to some problem, subsequently, as per the order passed by the second respondent, the election has to be conducted. If at all, the petitioner apprehends any law and order problem, a suitable direction may be issued to the Election Officer/fifth respondent herein to seek police protection and video coverage done at the cost of the petitioner.

4 Considering apprehension of the petitioner and with a view to conduct the election in a free and fair manner, adequate police protection should be provided during the entire polling. In such circumstances, the fifth respondent is directed to approach the concerned police station seeking police protection, and also take video coverage of the entire polling and the petitioner are directed to pay the cost of video coverage to the fifth respondent. With the above observation, the petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//
Sub Assistant Registrar

rpl

To

- 1 The Secretary,
Government of Tamilnadu,
Co-operative, Food and
Consumer Protection Department,
Fort St.George, Chennai-9.
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Tamilnadu State Cooperative Societies Election Commission,
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Rep.by its Secretary.
- 7 The Superintendent of Police,
Nilgiris District,
Upper Bazaar, Ooty, Tamil Nadu 643 001.

+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.55803

+1cc to Mr.C.M.Mohanasundaram, Advocate, S.R.No.55724,

+1cc to Government Pleader, sr.no.56059

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CS/24/08/18