

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No.24375 of 2018 and  
W.M.P.Nos.28385, 28386 of 2018

K.Venkatesan

... Petitioner

...Vs...

- 1.The State Election Commissioner,  
Tamil nadu State Co-operative Societies,  
Election Commission,  
No.273 Anna Salai,  
Teynampet,  
Chennai 600 018.
- 2.The Registrar of Co-operative Societies/  
The State Election Officer,  
O/o The Registrar of Co-operative Societies,  
Poonamalee High Road,  
Kilpauk,  
Chennai 600 010.
- 3.The Joint Registrar of Co-operative Societies ,  
Vellore Region,  
Vellore, Vellore District.
- 4.The Deputy Registrar of Co-operative Societies/  
The District Election Commissioner,  
O/o The Deputy Registrar of Co-operative societies,  
Ranipet,  
Vellore District.
- 5.The Election Officer,  
V.L.Special 208, Thakarakuppam,  
Primary Agricultural Urban Co-operative  
Bank Ltd, Thakarakuppam,  
Sengadu Post,  
Walaja Taluk,  
Vellore District.
- 6.Deivanai
- 7.D.Shanthi
- 8.P.Samanthi
- 9.S.Marimuthu
- 10.V.K.Radhakrishnan
- 11.A.M.Sundaramurthy
- 12.W.S.Vedagiri

13.A.M.Venkatesan  
14.N.Attukaran  
15.N.Munisamy  
16.Pitchaimani

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the declaration of the election of members of the V.L. Special 208, Thakarakuppam Urban Co-operative Credit Society Ltd, Periya Thakarakuppam, Walajah Taluk, Vellore District and the election of president and vice president of the said Board by the 5<sup>th</sup> respondent in his office proceedings dated 03.05.2018 and 11.08.2018, respectively, quash the same and direct the respondents 1 to 5 to conduct fresh election to elect the members, president and vice president of the Board of the said Society by following secret ballot system within the time that may be fixed by this Honourable Court.

For Petitioner :Mr.P.Mani

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

: Mr.L.P.Shanmugasundaram,  
Special Government Pleader  
for R2 to R5

#### ORDER

This writ petition has been filed challenging the election to the Board of Directors of the fifth respondent Co-operative Society.

2. According to the petitioner, even though the election to the Board of Directors was scheduled to be held on 07.05.2018, no election was conducted on that date. But, the Election Officer unanimously declared that the respondents 6 to 16 were duly elected as Board of Directors. Hence, the present writ petition has been filed.

3. When the matter is taken up for hearing, Mr.M.S.Palaniswamy, the learned Standing Counsel, appearing for the first respondent, on instruction, submitted that the Election Observer, namely, the Joint Registrar, have sent a report regarding the election to the fifth respondent Society to the Election Commission, first respondent herein and the first respondent will take necessary action based on the report, after giving opportunity to the petitioner as well as the respondents 6 to 16.

3. Considering the facts and circumstances, already the enquiry is pending with the first respondent, the first respondent is directed to conduct enquiry and pass suitable orders on merits and in accordance with law, after giving opportunity to the petitioner and all the persons interested, within a period of four weeks from the date of receipt of a copy of this order.

4. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

mrp/mbi  
To

1. The State Election Commissioner,  
Tamil nadu State Co-operative Societies,  
Election Commission,  
No.273 Anna Salai,  
Teynampet, Chennai 600 018.
  2. The Registrar of Co-operative Societies/  
The State Election Officer,  
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Vellore Region,  
Vellore, Vellore District.
  4. The Deputy Registrar of Co-operative Societies/  
The District Election Commissioner,  
O/o The Deputy Registrar of Co-operative societies,  
Ranipet,  
Vellore District.
- + 1 cc to M/s. P. Mani, Advcoate Sr.68218  
+ 2 ccs to Mr. S. Parbhavathy, Advocate Sr.68477  
+ 1 cc to Government Pleader Sr.68556

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AD (CO)  
EU (26/10/2018)

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