

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.16250 of 2018

1. Mohanasundaram
S/o Chenniappan

2. Uma Maheswari
W/o Palanisamy

3. Ragupathy
S/o Appusamy

.. Petitioners

-vs-

1. The State Election Commissioner
Tamil Nadu State Cooperative Societies
Election Commission
Kamadhenu Super Market Building
No.273, Scheme Road, Subbarayan Nagar
Teynampet, Chennai 600 018

2. The District Election Officer
Erode District

3. The Election Officer
C.H.2, Chennimalai Siragiri Murugan
Handloom Weavers Cooperative Society Ltd.,
Chennimalai, Perundurai Taluk
Erode District

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the third respondent to include the petitioners' nomination in the valid candidates list and then only to proceed to conduct the election for the Board of Directors of the third respondent society without rejecting the petitioners' nomination and by withdrawing the published present list of candidates if any.

For Petitioners

:: Mr.N.Ponraj

For Respondents

:: Mr.M.S.Palanisamy

Standing Counsel for R1

Mr.L.P.Shanmughasundaram

Special Government Pleader

for R2 & 3

ORDER

The petitioners have approached this Court seeking issuance of a writ of mandamus, directing the third respondent to include the petitioners' nomination in the valid candidates list and then only to proceed to conduct the election for the Board of Directors of the third respondent society without rejecting the petitioners' nomination and by withdrawing the published present list of candidates, if any.

2. The learned Special Government Pleader for the respondents 2 & 3 submitted that the elections for the Board of Directors in the third respondent society were already held on 7.5.2018 and after a long time, the petitioners have come to this Court. Therefore, the writ petition is not maintainable, as they have to work out their remedy after the declaration of the results.

3. I also find merits in his submissions. As could be seen from the notification produced by the learned Special Government Pleader for the respondents 2 & 3 fixing various dates for filing of nominations, scrutiny of nominations, releasing the final list of candidates and also for conduct of election for the Board of Directors in the third respondent society, the date of election had been fixed on 7.5.2018. Since the elections had already taken place on 7.5.2018 for the Board of Directors in the third respondent society, this writ petition is not maintainable. Accordingly, the writ petition stands dismissed. If the petitioners are aggrieved after the declaration of results, it is for them to work out their remedy in the manner known to law. Consequently, W.M.P.No.19352 of 2018 is also dismissed. No costs.

Sd/-

Assistant Registrar (CS VII)

//True copy//

Sub Assistant Registrarss

To

1. The State Election Commissioner
Tamil Nadu State Cooperative Societies
Election Commission
Kamadhenu Super Market Building
No.273, Scheme Road, Subbarayan Nagar
Teynampet, Chennai 600 018

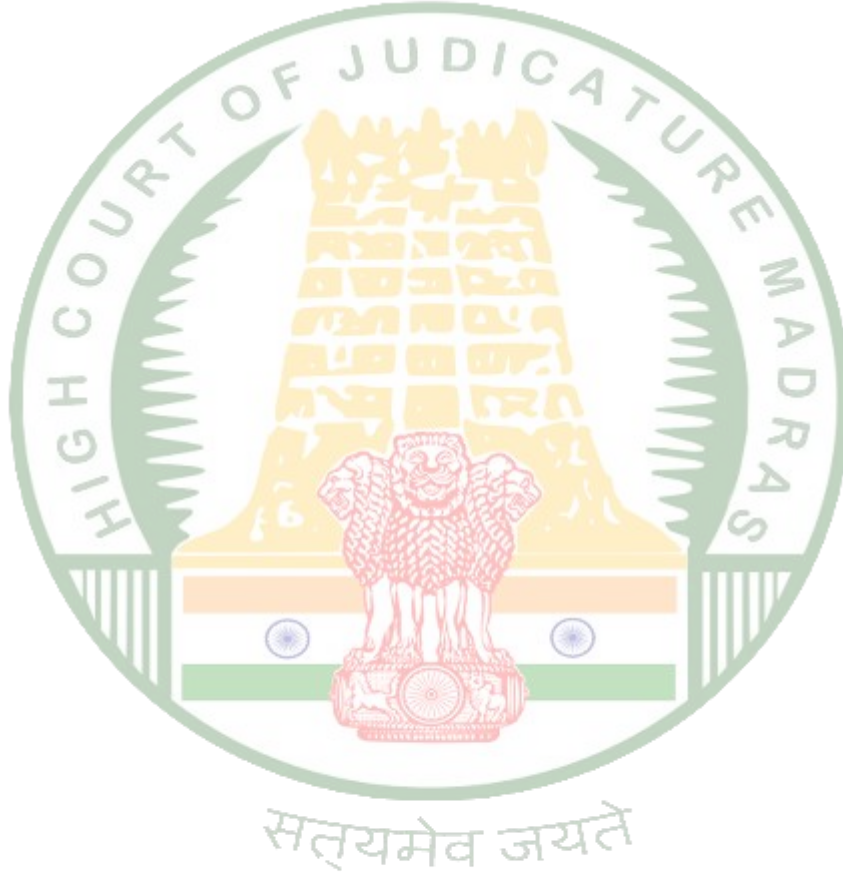
2. The District Election Officer
Erode District.

+1cc to Mr.N.Ponraj, Advocate SR.No.43086

+1cc to Mr.L.P.Shanmugasundaram, Advocate SR.No.43304

W.P.No.16250 of 2018

AP (CO)
GN (23/07/2018)



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