

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.16271 of 2018

K.Deivasigamani

.. Petitioner

-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 Assistant Director
Kaithari Thuni Nool Kattupattu Aluvalagam
Erode
4. The Election Officer
C.H.112, Ammapalayam Handloom
Weavers Cooperative Product and
Sellers Association 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 fourth respondent to affix the valid candidates list by including the petitioner's nomination and proceed to conduct the election for the Board of Directors of the fourth respondent society without rejecting the petitioner's nomination and by withdrawing the published present list of candidates if any by considering petitioner's representation dated 08.06.2018.

For Petitioner :: Mr.N.Ponraj

For Respondents :: Mr.M.S.Palanisamy
Standing Counsel for R1
Mr.L.P.Shanmughasundaram
Special Government Pleader
for R2 to 4

ORDER

The petitioner has approached this Court seeking issuance of a writ of mandamus, directing the fourth respondent to affix the valid candidates list by including the petitioner's nomination and proceed to conduct the election for the Board of Directors of the fourth respondent society without rejecting the petitioner's nomination and by withdrawing the published present list of candidates, if any, by considering petitioner's representation dated 08.06.2018.

2. The learned Special Government Pleader for the respondents 2 to 4 submitted that the elections for the Board of Directors in the fourth respondent society were already held on 27.4.2018 and after a long time, the petitioner has come to this Court. Therefore, the writ petition is not maintainable, as he has to work out his 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 to 4 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 fourth respondent society, the date of election had been fixed on 27.4.2018. Since the elections had already taken place on 27.4.2018 for the Board of Directors in the fourth respondent society, this writ petition is not maintainable. Accordingly, the writ petition stands dismissed. If the petitioner is aggrieved after the declaration of results, it is for him to work out his remedy in the manner known to law. Consequently, W.M.P.No.19375 of 2018 is also dismissed. No costs.

Sd/-

Deputy Registrar

//True copy//

Sub Assistant Registrar

ss

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

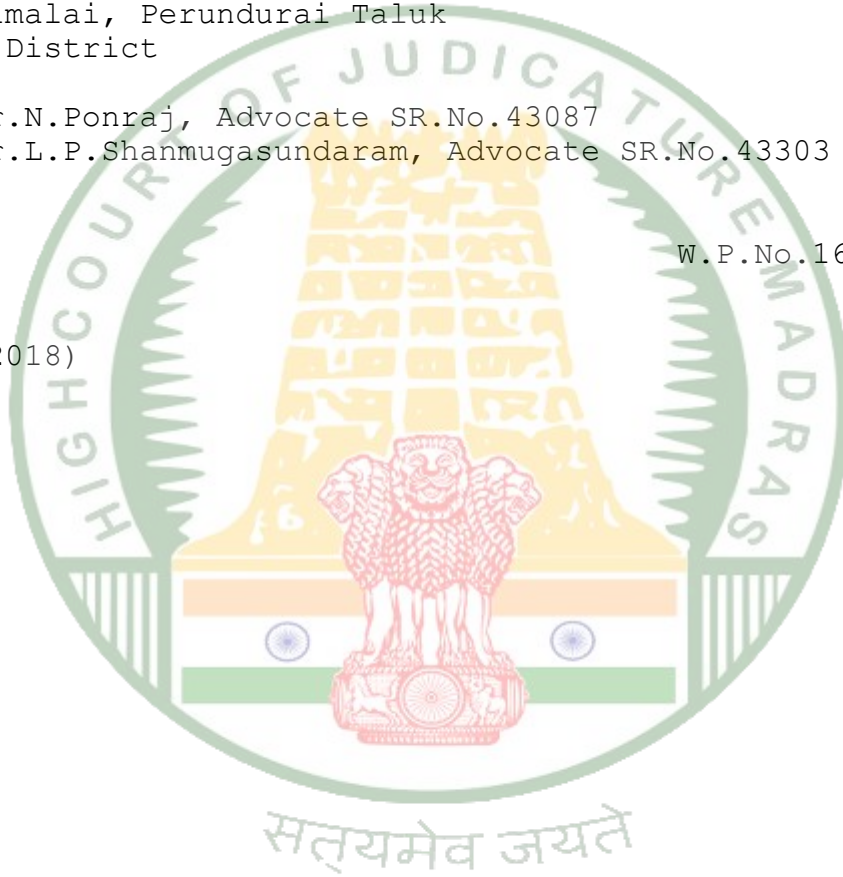
2. The District Election Officer
Erode District
3. The Assistant Director
Kaithari Thuni Nool Kattupattu Aluvalagam
Erode
4. The Election Officer
C.H.112, Ammapalayam Handloom
Weavers Cooperative Product and
Sellers Association Ltd.,
Chennimalai, Perundurai Taluk
Erode District

+1cc to Mr.N.Ponraj, Advocate SR.No.43087

+1cc to Mr.L.P.Shanmugasundaram, Advocate SR.No.43303

W.P.No.16271 of 2018

GN(13/07/2018)



WEB COPY