

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No.25344 of 2018

1.R.Balakrishnan

2.S.Vengidupathy

... Petitioners

Vs

1.The Tamil Nadu State Cooperative Societies
Election Commission,
Rep.by its Commissioner,
No.273, Kamadhenu Co-operative Super Market Building,
Teynampet, Chennai-600 018.

2. The Deputy Register/ District Election Officer,
Chinthamani, Coimbatore.

3.The Election Officer,
K.1853. Allapalayam Primary Agricultural
Cooperative Credit Society,
Annur Taluk,
Coimbatore district.

4.The District Collector,
Coimbatore District, Coimbatore.

5.K.Arumugam.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents 1 to 4 to postpone the election to the 3rd respondent Society till necessary legal action is taken against the 5th respondent, by considering and passing orders in the representation of the petitioners dated 01.09.2018.

For Petitioners : Mr.K.Selvaraj

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

: Mr.L.P.Shanmugasundaram
Special Government Pleader
for R2 to R4

O R D E R

This Writ petition has been filed seeking direction to the respondents 1 to 4 to postpone the election until taking legal action against the 5th respondent.

2. According to the petitioner, he is the member of the third respondent society and the election to the Board of Directors was scheduled to be held in the month of April and the nominations were submitted on 30.04.2018. After that, scrutiny was over, but, no final list was affixed. The fifth respondent herein, who was the Ex-President of the society and his brother one Mr. K.Visvanthan, are highly influential political persons in the locality and they are creating lot of problem and preventing the authorities from conducting election in fair manner. In such circumstances, the petitioner sent a representation to the respondents 1 to 4 and other authorities to postpone the election for some more years and take action against the person, who was said to have misappropriated the funds of the society. The above representation is pending. Hence, the present writ petition has been filed.

3. Today, when the matter is taken up for hearing, Mr.L.P.Shanmugasundaram, Special Government Pleader, appearing for the respondents 2 to 4 would submit that the election to the society has been now postponed due to law and order problem and further election date was yet to be announced.

4. Considering the fact that now the election has been postponed, and the prayer sought in the writ petition to postpone the election for few years cannot be countenanced for the reason that the reason stated for postponing the election is not agreeable and I find no merit in the writ petition.

5. Accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS-V)

//True copy//

Sub Assistant Registrar

mrp

To

1. The Commissioner,
The Tamil Nadu State Cooperative Societies
Election Commission,
No.273, Kamadhenu Co-operative Super Market Building,

Teynampet, Chennai-600 018.

2. The Deputy Register/ District Election Officer,
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Coimbatore.

3.The Election Officer,
K.1853. Allapalayam Primary Agricultural Cooperative Credit
Society,
Annur Taluk,
Coimbatore district.

4.The District Collector,
Coimbatore District,
Coimbatore.

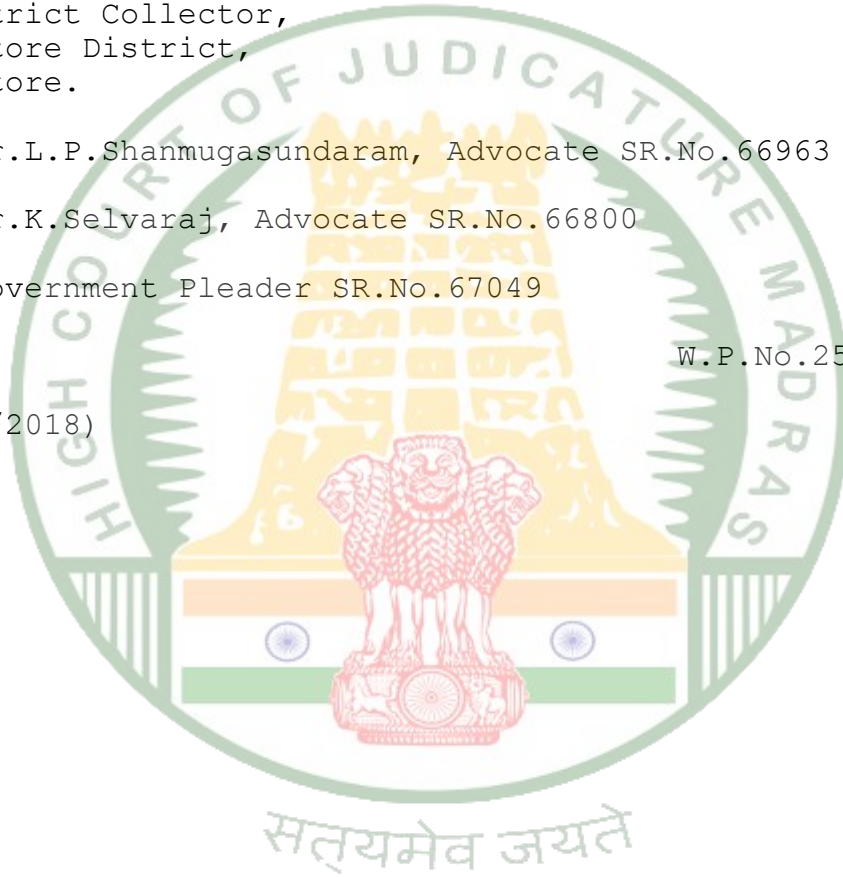
+1cc to Mr.L.P.Shanmugasundaram, Advocate SR.No.66963

+1cc to Mr.K.Selvaraj, Advocate SR.No.66800

+1cc to Government Pleader SR.No.67049

W.P.No.25344 of 2018

GMV (24/10/2018)



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