

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No.26591 of 2018

Mr.R.Murali Mohan

... Petitioner

..Vs..

- 1.The Commissioner,
Tamil Nadu Co-operative Societies Election Commission,
No.273, Anna Salai,
Chennai-600 018.
- 2.The Registrar of Co-operative Societies,
Kilpauk,
Chennai-600 010.
- 3.The District Election Officer,
Kancheepuram,
Kancheepuram District.
4. The Managing Director,
Maduranthagam Co-operative sugar mills,
Padalam,
Kancheepuram District.
- 5.The District Collector,
Kancheepuram,
Kancheepuram District.
- 6.The Superintendant of Police,
Kancheepuram,
Kancheepuram District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus for a direction to the respondents to publish Voters List, to hold election at the 4th respondent premises and appoint an Election Observer in the place of or in addition to Returning Officer for the ensuing election for the M/s Maduranthakam Co-operative Sugar Mills Limited, Padalam, Madhuranthagam Taluk, Kancheepuram District on 11.10.2018 to ensure free and fair election to the Board of Directors of the 4th respondent Society, such as, availability of nomination of forms for all the eligible and

deserving candidates, Scrutiny of the Nomination Forms, Police protection, voting by eligible and deserving members with proper identification and Videography of the entire election process and conduct the election in a fair and proper manner and in accordance with law.

For Petitioner : Mr.N.Nithianandam

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

Mr.L.P.Shanmugasundaram,
Special Government Pleader,
for R2, R3, R5 and R6.

Mr.Bala Ramesh,
Standing Counsel,
for R4.

O R D E R

This writ petition has been filed directing the respondents to publish the voters list, to hold the election to the fourth respondent Society and also to give police protection.

2. The grievance of the petitioner is that the election to the fourth respondent Co-operative Society has been announced, without proper publication of voters list. The election is going to be conducted on 11.10.2018, and some dead persons names have been included in the voters list and some ineligible persons names were also included as member of the fourth respondent Co-operative Society.

3. Today when the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that now voters list has been published and filing of nomination was also over on 06.10.2018, as there is likelihood of law and order problem in order to conduct the election in a proper manner, he sought for police protection and also videograph the entire election.

4. Considering the fact that already voters list has been published and filing of nomination also over, the grievance of the writ petitioner cannot be redressed at this stage. If at all, he has any grievance regarding the voters list, it is always open to him to agitate the same before the appropriate forum. So far as police protection and videography of the entire election is concerned, already the Election Commission

has issued a direction to all the Election Officers to videograph the election and also provide adequate police protection if there is likelihood of law and order problem. This Court also by an order dated 31.08.2018 in W.P.No.11145 of 2018 and batch cases etc., issued the same direction.

5.Considering the above, the Election Officer is directed to videograph the entire election at the cost of the petitioner and also get provide police protection in the event of any likelihood of law and order problem.

6. Accordingly, this writ petition is disposed of . No costs.

7. Since the election is scheduled on 11.10.2018, the learned Government Pleader is directed to inform the Election Officer today itself.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

mrp/mbi

To

- 1.The Commissioner,
Tamil Nadu Co-operative Societies Election Commission,
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Chennai-600 018.
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- 3.The District Election Officer,
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Kancheepuram District.
- 5.The District Collector,
Kancheepuram,
Kancheepuram District.

6.The Superintendent of Police,
Kancheepuram,
Kancheepuram District.

+1cc to Mr.R.Bala Ramesh, Advocate, S.R.No.69736
+1cc to Mr.L.P.Shanmugasundaram, Advocate, S.R.No.69445
+1cc to Mr.N.Nithianandam, Advocate, S.R.No.69245
+1cc to the Government Pleader, S.R.No.69674

W.P.No.26591 of 2018

SS(co)
CS/03/12/2018



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