

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10.10.2018

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P. 26944 of 2018
&
W.M.P. 31310 of 2018

B.Ramachandra Babu

... Petitioner

-Versus-

1. The District Election Officer,
(Cooperative Societies),
The Managing Director,
Cheyyar Cooperative Sugar Mills Ltd.,
Cheyyar, Tiruvannamalai District.
2. The Election Officer/
Cooperative Society Sub-Registrar,
District Registrar Office,
Madurantakam,
Kancheepuram District.
3. Tamil Nadu State Cooperative Societies,
Election Commissioner,
No.273, Kamadhenu Supermarket, I Floor,
Anna Salai, Chennai-600 018.
4. The Managing Director,
Madurantakam Cooperative
Sugar Mills Ltd.,
Madurantakam,
Kancheepuram Dt.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Declaration, declaring the rejection of the nomination of the petitioner as null and void and consequently, direct the 2nd respondent to include the nominations and conduct the election for the Board of Directors of the 2nd respondent society.

For Petitioner

: Mr.G.Rajan

For Respondents

: Mr.M.S.Palaniswamy

Standing Counsel for R1

For Petitioner

: Mr.G.Rajan

: Mr.L.P.Shanmugasundaram

Special Government Pleader
for R2 to R4

ORDER

This writ petition has been filed challenging the rejection of the nomination of the petitioner to the Board of Directors to the 4th respondent cooperative society.

2. The grievance of the petitioner is that the election to the Board of Directors of the 4th respondent society was scheduled to be held on 01.10.2018, for which the petitioner has filed his nomination on 06.10.2018. Even though the petitioner is fully qualified to contest the election, his nomination has been rejected by the 2nd respondent Election Officer without assigning any reason whatsoever and even the copy of the order was also not furnished to the petitioner. In the said circumstances, the petitioner has filed the present Writ Petition.

3. I have considered the rival submissions and perused the materials available on record carefully.

4. The learned counsel appearing for the petitioner submitted that already the petitioner has made a complaint before the respondents, especially, the 3rd respondent Election Commissioner for the Tamil Nadu Cooperative Societies on 09.10.2018 itself. Hence, the 3rd respondent may be directed to consider the petitioner's complaint and pass suitable orders.

5. On considering the fact that the petitioner has already filed a complaint before the 3rd respondent, as per the order dated 31.08.2018 passed by this Court in the Writ Petition in W.P.No.11145 of 2018 etc. batch (M.Sadhasivam Vs. State of Tamil Nadu and others), the 3rd respondent is directed to consider the petitioner's complaint and pass suitable orders on merits and in accordance with law after giving opportunity to the petitioner within a period of six weeks from the date of receipt of the copy of this order.

6. In the result, this writ petition is disposed of with the above direction. No costs. Consequently, connected W.M.P. is closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

rpp

To

1. The District Election Officer,
(Cooperative Societies),
The Managing Director,
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Cheyyar, Tiruvannamalai District.
 2. The Election Officer/
Cooperative Society Sub-Registrar,
District Registrar Office,
Madurantakam,
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Election Commissioner,
No.273, Kamadhenu Supermarket, I Floor,
Anna Salai, Chennai-600 018.
 4. The Managing Director,
Madurantakam Cooperative
Sugar Mills Ltd.,
Madurantakam,
Kancheepuram Dt.
- +1 CC to Mr.G.Rajan, Advocate sr 70035.
+1 CC to Govt. Pleader sr 71066.

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& W.M.P. 31310 of 2018

AK(CO)
SP(05/12/2018)

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