

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P.No.31027 of 2018
and

W.M.P.Nos.36203 & 36207 of 2018

1. K.S.Ravichandran

2. P.Narayanasamy

3. J.Bhaskaran

4. P.Paranjothi

5. R.Sureh

6. V.Rajamannar

... Petitioners

Vs.

1.The Commissioner ,
Tamilnadu State Co-operative Societies
Election Commission,
No.273, Kamadhenu Supermarket,
Chennai -600 018

2. The District Election Officer and
Deputy Registrar of Co-operative Societies (credit).
Kuralagam,
Chennai - 600 108.

3. The Election Officer,
X367, Transport Corporation Employees,
Co-operative Thrift and Credit Society Ltd.,
No.10, Rathna Nagar,
Teynampet, Chennai - 600 018.

4. R.Durai

5. S.Elangovan

6. S.Mayakkannan

7. K.Subramanian

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of certiorarified mandamus calling for the records relating to the election notification issued by the second respondent in proceedings Nil dated 20.11.2018 and quash the same and consequently direct the respondents to hold fresh elections to the post of Board of Directors of X 367, Transport Corporation Employees Co-operative Thrift and Credit Society Ltd., having office at No.10, Rathna Nagar, Teynampet, Chennai -600 018 in terms of the order passed by the first respondent dated 04.05.2018 and 09.08.2018.

For Petitioner : Mr. S.Kamadevan

For Respondents : Mr.L.P.Shanmugasundaram,
Spl. Government Pleader,
for R1 to R3

O R D E R

This writ petition has been filed challenging the notification issued by the second respondent for conducting election to the Board of Directors of the third respondent Co-operative Society.

2. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader, appearing for the respondents 1 to 3.

3. The Election notification impugned in the writ petition has been issued pursuant to the order passed by this Court in W.P.No.29844 of 2018 dated 13.11.2018, wherein this Court directed the second respondent therein to resume the election from the stage of polling, and issue appropriate fresh notification fixing a date for conducting poll.

4. Since the impugned election notification has been issued pursuant to the order passed by this Court dated 13.11.2018, unless the above said order dated 13.11.2018, is stayed, set aside or reviewed, the impugned election notification cannot be challenged in another writ petition. In the said circumstances, I find no reason for staying or setting aside the notification issued by the second respondent. I find no merit in the writ petition and the writ petition is liable to be dismissed.

5. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

mrp

To

- 1.The Commissioner ,
Tamilnadu State Co-operative Societies
Election Commission,
No.273, Kamadhenu Supermarket,
Chennai -600 018
2. The District Election Officer and
Deputy Registrar of Co-operative Societies(credit).
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3. The Election Officer,
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Co-operative Thrift and Credit Society Ltd.,
No.10, Rathna Nagar,
Teynampet, Chennai - 600 018.

+1 cc to The Government Pleader, Sr.No.80475
+1 cc to M/s.S.Kamadevan, Advocate Sr.No.79915
+1 cc to M/s.L.P.Shanmugasundaram, Advocate Sr.No.80367

CSL/27.11.2018

सत्यमेव जयते

W.P.No.31027 of 2018

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