



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

WP (MD) No.6302 of 2018

and

WMP (MD) Nos.6152 and 6153 of 2018

M.Balaji

.. Petitioner

Vs.

1. The Director of Fisheries,
Fisheries Department (Inland),
Administrative Building,
D.M.S.Compound,
Tenampet, Chennai.
2. The Deputy Director of Fisheries,
Fisheries Department,
Office of the Deputy Director of Fisheries,
Pechiamman Padithurai,
Simmakkal,
Madurai.
3. The Assistant Director of Fisheries,
Fisheries Department,
Office of the Assistant Director of Fisheries,
Theni at Vaigai Dam,
Theni District.

... Respondents

Petition filed under Article 226 Constitution of India to issue a Writ of Certiorari to call for the records on the file of the third respondent's impugned order of the Election Notification dated 13.03.2018 issued by the 3rd respondent on the basis of the election notification issued by the Election Commission of the Cooperative Societies in Na.Ka.No.24/2018/Koo.Thae.1 dated 05.03.2018 and quash the same as illegal, improper, unlawful, unconstitutional and arbitrary.

For Petitioner	:	Mr.K.Safar Badhusha
For Respondents	:	Mr.K.Chellapandian Additional Advocate General assisted by Mrs.J.Padmavathi Devi Special Government Pleader

ORDER

<https://hcservices.ecourts.gov.in/hcservices/> This writ petition has been filed challenging the election notification issued by the third respondent on 13.03.2018.



2.The grievance of the petitioner is that in the year 2012, the third respondent, without following the procedures as stipulated in the by-laws, admitted 464 members in Vaigai Puthur Fisherman Cooperative society. According to the petitioner, the members who were enrolled on 13.09.2012, are ineligible persons and with those persons, now, an election is proposed to be conducted. Hence, challenging the same, this writ petition has been filed.

3.Admittedly, the members alleged have been inducted in the year 2012, and nearly for six years, the petitioner did not take any steps challenging the inclusion of the members. Now, all of a sudden, the petitioner has come with this writ petition, challenging the election notification. If at all the petitioner has got any grievance regarding inclusion of members, alternative remedy is available to him before the authorities concerned. Without doing so, the petitioner cannot maintain this writ petition on the eve of the election. Hence, this writ petition is dismissed. No costs. Consequently, WMP(MD)Nos.6152 and 6153 are closed.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

1. The Director of Fisheries,
Fisheries Department (Inland),
Administrative Building,
D.M.S.Compound, Tenampet, Chennai.
2. The Deputy Director of Fisheries,
Fisheries Department,
Office of the Deputy Director of Fisheries,
Pechiamman Padithurai, Simmakal, Madurai.
3. The Assistant Director of Fisheries,
Fisheries Department,
Office of the Assistant Director of Fisheries,
Theni at Vaigai Dam, Theni District.

+ 1 cc TO The Special Government Pleader in SR No. 58439

mj

AE/SKN RSK/SAR1/13.04.2018/2P/5C