



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2018

CORAM :

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.7466 of 2018

and

W.M.P. (MD) Nos.7128 and 7129 of 2018

A.Valli

... Petitioner

vs.

- 1.The State Election Commissioner,
Tamilnadu State Cooperative Societies Election Commission,
273, Anna Salai, Teynampet, Chennai -18.
- 2.The Deputy Registrar of Cooperative Societies/
District Election Officer,
Ramanathapuram Region, Ramanathapuram.
- 3.The Election Officer,
S.W.78, Bharathi Nutritious food women Society Ltd.,
Saveriarpattinam, R.S.Mangalam,
Thiruvadanai Taluk, Ramanathapuram District.
- 4.M.Rajeshwari
- 5.C.Shanmugavalli
- 6.M.Selvi
- 7.K.Pushpam
- 8.P.Amutha
- 9.V.Annakkili
- 10.G.Pappa

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the respondents herein to conduct the election for the posts of Office bearers/Members of S.W.78, Bharathi Nutritious Food Product Women Cooperative Society Ltd., Saveriarpattinam, R.S.Mangalam, Thiruvadanai Taluk, Ramanathapuram District in a fair and transparent manner as per the schedule announced in the notification issued by the first respondent.

For Petitioner : Mr.G.Thalaimutharasu



For RR2 & 3

: Mr.K.Chella Pandian
Additional Advocate General
assisted by Mr.S.Nagarajan
Special Government Pleader

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ORDER

The limited prayer sought for in this writ petition is for a direction to the respondents to conduct Election to the third respondent Society in a fair and transparent manner.

2. Mr.V.Karunakaran takes notice for the first respondent and Mr.K.Chella Pandian, learned Additional Advocate General takes notice for the respondents 2 and 3.

3. Though the petitioner has made various allegations against the respondents in the affidavit, I do not find any evidence to prove such allegations.

4. In view of the fact that the elections are scheduled to be held on 07.04.2018 and that the petitioner herein has approached this Court at the last moment, without giving sufficient time for the respondents to get necessary instructions, this Court is inclined to point out that free and fair Elections are the cardinal principles of the democratic institutions and as such the respondents cannot deviate the procedures contemplated under the Tamilnadu Co-operative Societies Rules, during the course of conducting the election process.

5. In view of the above, there shall be a direction to the respondents 1 to 3 to conduct the elections for the post of the Office bearers of the third respondent Society in a fair and transparent manner as per the election schedule announced in the notification, dated 05.03.2018.

6. With the above direction, this writ petition stands disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AS)

/True copy/



To

1. The State Election Commissioner,
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W.P. (MD) No.7466 of 2018
06.04.2018

PJL

MKV-CM-VR-SAR 4/6.4.2018/3P-4C