



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2018
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THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No. 7396 of 2018

T.Sengaimaran

: Petitioner

Vs.

1.The Chief Election Commissioner,
Tamil Nadu State Co-operative Society Commission,
273, Annasalai, Teynampettai,
Chennai - 600 018.

2.The District Collector,
Sivagangai District,
Sivagangai.

3.The Superintendent of Police,
Sivagangai District,
Sivagangai.

4.The Deputy Registrar (Diary),
Manamadurai,
Sivagangai District,
Sivagangai.

5.The Election Officer,
N-N-498,
Thirupuvanam Milk Producers Co-operative Society,
Thirupuvanam,
Sivagangai District.

6.The Secretary,
N-N-498,
Tirupuvanam Milk Producers Co-operative Society,
Tirupuvanam,
Sivagangai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to allow the petitioner accompanied by his advocate to file his nomination paper and videograph the filing, scrutiny of the nomination and the election and direct the second respondent to provide adequate police protection for the whole election process on the basis of the petitioner's representation dated 31.03.2018.



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For Petitioner : Mr.K.Muthu Ganesa Pandian
for Veera Associates
For Respondent No.1 : Mr.U.Karunakaran
For Respondents 2 & 6 : Mr.K.Chellapandian
Additional Advocate General
Assisted by Mr.S.Nagarajan
Special Government Pleader

O R D E R

The prayer sought for in this writ petition is for a directing the respondents to allow the petitioner accompanied by his advocate to file his nomination paper and video graph the filing, scrutiny of the nomination and the election and direct the second respondent to give the adequate police protection for the whole election process on the basis of the petitioner's representation dated 31.03.2018.

2.Mr.U.Karunakaran, learned Counsel takes notice for the first respondent and Mr.K.Chellapandia, learned Additional Advocate General, assisted by Mr.S.Nagaraj, learned Special Government Pleader takes notice for the second to six respondents.

3.By consent of both parties, the main writ petition itself is taken up for final disposal at the admission stage itself.

4.Though, the petitioner has sought for several directions, the learned Counsel appearing for the petitioner submitted that he would be satisfied if a direction is given to the respondents to conduct the election in a fair and transparent manner.

5.In view of the fact that the elections are scheduled to be held on 16.04.2018, 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.

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

7.With the above direction, this writ petition stands disposed of. No Costs.

Sd/-

Assistant Registrar (AD-II)

/True Copy/



To

1.The Chief Election Commissioner,
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Tirupuvanam Milk Producers Co-operative Society,
Tirupuvanam, Sivagangai District.

+1. C.C. to M/S.VEERA ASSOCIATES, Advocate, SR.No.60187.
+1. C.C. to Special Government Pleader, SR.No.60235.

ORDER MADE IN
W.P. (MD) No.7396 of 2018
06.04.2018

MR

SDS/CM:VR/SAR.4/06.04.2018/3P/9C