



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.21232 of 2018
and W.M.P.(MD) No.19064 of 2018

S.Murugesan

... Petitioner

-vs-

- 1.The Registrar of Co-operative Societies,
Office of the Registrar of Co-operative Societies,
170, Periyar EVR Road,
Kilpauk, Chennai - 10.
- 2.The Commissioner/State Co-operative Election Officer,
Kamadhenu Campus,
Annasalai, Teynampet,
Chennai - 18.
- 3.The Joint Registrar of Co-operative Societies,
Zonal Coordinator of Co-operative Elections,
Rear to Office of the Superintendent of Police,
Karur.
- 4.The Deputy Registrar of Co-operative Societies,
District Election Officer (Karur Circle),
Rear to Office of the Superintendent of Police,
Karur.
- 5.A.S.Ganesan,
Co-operative Election Officer,
R. 378, Karur Agricultural Producers -
Co-operative Marketing Society,
930, Jawahar Bazaar,
Karur - 639 001.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of mandamus, directing the respondents to publish the verified list of members who are alive and eligible to vote before the election and to conduct the election after ensuring safety to the members willing to file nomination.



For Petitioner : Mr.A.John Vincent
For Respondents 1, 3, 4 : Mr.K.Chellapandian
Additional Advocate General,
Assisted by
Mr. A.K.Baskara Pandian
Special Government Pleader
For 2nd Respondent : Mr.M.S.Palaniswamy

O R D E R

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner, who is a member of the Society has come forward with this petition seeking a direction to the respondents to publish the verified list of members who are alive and eligible to vote before the election and to conduct the election after ensuring safety to the members willing to file nomination.

2.Heard the learned counsel appearing for the petitioner, the learned Additional Advocate General appearing for the respondents 1, 3 and 4 and the learned counsel for the second respondent.

3.It appears that the entire election process has been over and 11 of them have been nominated and the petitioner is only a member of the Society and his nomination has not been taken on file as even according to the petitioner he has sent the nomination only through post, which is contrary to the Rule. Hence, if the petitioner has any grievance, the same has to be agitated before the Registrar of Co-operative Societies, under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983.

4.In such view of the matter, the Writ Petition is dismissed with liberty to the petitioner to file appropriate application before the concerned Registrar of Co-operative Societies. As and when such application is filed, the Registrar shall consider and dispose of the same within a period of three months from the date of receipt of application from the petitioner. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar (Writs)

/True Copy/



To

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Zonal Coordinator of Co-operative Elections,
Near to Office of the Superintendent of Police,
Karur.
4. The Deputy Registrar of Co-operative Societies,
District Election Officer (Karur Circle),
Rear to Office of the Superintendent of Police,
Karur.

+ 1 CC TO Mr.A.JOHN VINCENT, ADVOCATE IN SR No. 89777

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 90174

SJ

TE/PM/SAR-1 : 30/10/2018 : 3P/7C

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