



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated : 03.05.2018

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR
And
THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

W.P (MD) No.10500 of 2018
and
W.M.P. (MD) No.9603 of 2018

S.Krishnan

... Petitioner

vs.

1.The Deputy Registrar,
Co-Operative Society,
Krishnarayar Tank Road,
Madurai - 1.

2.The Election Officer /
Senior Inspector,
Co-operative Society,
Deputy Registrar Office,
Krishnarayar Tank Road,
Madurai - 1.

3.The Secretary,
A 3071 Karattupatty Primary Agricultural
Co-operative Society,
Karattupatty, Vadipatty Taluk,
Madurai District.

4.The Inspector of Police,
Sholavanthan Police Station,
Sholavanthan, Madurai Rural,
Madurai District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 1st respondent to file report relating to the election to be held on 07.05.2018 for the A 3071, Karattupatty Primary Agricultural Co-operative Society, Karattupatty, Vadipatty Taluk, Madurai District with appointing an Advocate Commissioner to monitor the election process and the declaration of election result.

For Petitioner
For Respondents

: Mr.D.Gandhiraj
: Mr.K.Chellapandian, AAG
Assisted by Mr.S.Nagarajan, Spl.G.P.

ORDER

(Order of the Court was made by S.S.SUNDAR, J.)

By consent, Writ Petition itself, is taken up for final disposal.

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2.Mr.K.Chellapandian, learned Additional Advocate General assisted by Mr.S.Nagarajan, learned Special Government Pleader takes notice for respondents.

3.This Writ petition has been filed to issue a Writ of Mandamus, directing the 1st respondent to file a report relating to the election to be held on 07.05.2018 for A-3071, Karattupatty Primary Agricultural Co-operative Society at Karattupatty, Vadipatty Taluk, Madurai District by appointing an Advocate Commissioner to monitor the election process and also for declaration of election result.

4. The learned counsel for the petitioner submits that respondents may not allow the candidates to have their counting agents in terms of Rule 53(14)(b) of Tamil Nadu Co-operative Societies Act.

5.However, the learned Additional Advocate General submits that the respondents cannot violate the provisions and conceded to direct the respondents to follow Rule 52(14)(b) of the Tamil Nadu Cooperative Societies Rules strictly.

6.The submission of the learned Additional Advocate General is recorded. This Writ Petition is disposed of directing the second respondent to follow Rules, particularly Rule 52(14)(b) of the Tamil Nadu Co-operative Societies Act, while conducting election. No costs. Consequently, connected W.M.P.is closed.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

- 1.The Deputy Registrar,
Co-Operative Society,
Krishnarayar Tank Road,
Madurai - 1.
- 2.The Election Officer /
Senior Inspector,
Co-operative Society,
Deputy Registrar Office,
Krishnarayar Tank Road,
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3.The Secretary,
A 3071 Karattupatty Primary Agricultural
Co-operative Society,
Karattupatty, Vadipatty Taluk,
Madurai District.

4.The Inspector of Police,
Sholavanthan Police Station,
Sholavanthan, Madurai Rural,
Madurai District.

+1cc to M/S.D.Gandhiraj, Advocate SR.No. 65029

Order made in
W.P (MD) No.10500 of 2018
and
W.M.P. (MD) No.9603 of 2018
03.05.2018

mpk/nbj
JM/SV/SAR 2/04.05.2018/3P/6C