



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.[MD].No.18447 of 2018

and

W.M.P. (MD) .No.16351 of 2018

P.S.Mayilsamy

: Petitioner

Vs.

1.The Election Commissioner,
Tamil Nadu State Co-operative Societies,
Anna Salai, Chennai 18.

2.The District Registrar-cum-
Election Officer,
Palani, Dindigul District.

3.The Election Officer/Election Observer,
Mannavanur Primary Agricultural Co-op Societies Bank,
A-1291, Mannavanur Post,
Kodaikanal Taluk, Dindigul District.

4.Selvi

5.Thillai Nayagam

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to call the petitioner for swear in for the post of Administrative Member in the third respondent Mannavanur Primary Agricultural Co-op Societies Bank, A-1291, Mannavanur Post, Kodaikanal Taluk, Dindigul District, based on the eligible candidate list, dated 02.04.2018.

For petitioner : Mr.N.Mohan

For respondents 1to3 : Mr.K.Chellapandian

Additional Advocate General

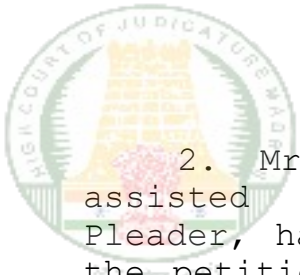
Assisted by Mr.A.K.Baskarapandian

Special Government Pleader

ORDER

[Order of the Court was made by M.M.SUNDRESH, J.]

The petitioner has come forward to file the present Writ Petition seeking a relief on the premise that despite his nomination being accepted and name declared along with the eligible candidates, on 02.04.2018, he has not been asked to for swearing in to the post of Administrative Member in the third respondent society.



2. Mr.K.Chellapandian, learned Additional Advocate General, assisted by Mr.A.K.Baskarapandian, learned Special Government Pleader, has produced the records, which indicate that the name of the petitioner was not found in the elected members' list. On the contrary, the records would indicate that the nomination of the petitioner was rejected.

3. In our considered view, this Court cannot go into the above disputed question of fact. Admittedly, the election is over. Therefore, the only remedy open to the petitioner is to invoke Section 90 of the Tamil Nadu Co-operative Societies Act, 1983. Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-I)

To

- 1.The Election Commissioner,
Tamil Nadu State Co-operative Societies,
Anna Salai, Chennai 18.
- 2.The District Registrar-cum-
Election Officer,
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- 3.The Election Officer/Election Observer,
Mannavanur Primary Agricultural Co-op Societies Bank,
A-1291, Mannavanur Post,
Kodaikanal Taluk, Dindigul District.

+1CC to the Special Government Pleader SR.No. 80332

W.P.[MD].No.18447 of 2018
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NB
ES/SKN/RSK/SAR 2/25.09.2018/2P/5C