



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 16.10.2018

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

W.P. (MD) No. 21632 of 2018
and
W.M.P. (MD) Nos. 19537 and 19538 of 2018

P.M.Periyasamy

:Petitioner

Vs.

- 1.The Commissioner,
Tamil Nadu Cooperative Societies Election Commission,
Chennai - 18.
- 2.The Joint Registrar of Cooperative Societies,
The Office of the Joint Registrar of Cooperative Societies,
Pudukottai District.
- 3.The Deputy Registrar of Cooperative Societies
/ The District Election Officer,
The Office of the Registrar of Cooperative Societies,
Pudukottai District.
- 4.The Election Officer,
T.826, Aranthagi Taluk Agricultural Producers
Cooperative Marketing Society,
Aranthangi Taluk, Pudukottai District.
- 5.The Electoral Officer,
T.826, Aranthagi Taluk Agricultural Producers
Cooperative Marketing Society,
Aranthangi Taluk, Pudukottai District.
- 6.The President,
T.826, Aranthagi Taluk Agricultural Producers
Cooperative Marketing Society,
Aranthangi Taluk, Pudukottai District. : Respondents

Prayer:Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the impugned Election Plan Notification under Proceeding No.Nil, dated 18.09.2018 on the file of the first respondent and the Electoral Roll dated 11.10.2018, on the file of the fifth respondent herein and to quash the same as illegal as far as the sixth respondent society is concerned and direct the respondents to



conduct the election by giving opportunity to the members to raise objection to the voters' list enabling to publish the voters list by excluding the death, frictious and fake members before the conductance of election as contemplated under Rule 52 of the Tamil Nadu Cooperative Societies Rules, 1988.

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For Petitioner : Mr.K.R.Laxman

For Respondents : Mr.K.Chellapandian,
Additional Advocate General
Assisted by
Mrs.S.Srimathy,
Special Government Pleader
for R.1 to R.5

ORDER

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

This writ petition is filed challenging the Electoral Roll that was published by the fifth respondent.

2. Heard the learned Counsel appearing for the petitioner and Mr.K.Chellapandian, learned Additional Advocate General, assisted by Mrs.S.Srimathy, learned Special Government Pleader, who takes notice for respondents 1 to 5.

3. It is the case of the petitioner that the Electoral Roll was published only on 11.10.2018. Though he is contesting the election, he came to know about the irregularities in the preparation of Electoral Roll only on its publication on 11.10.2018.

4. The learned Additional Advocate General appearing for respondents 1 to 5 submitted that the Election is already commenced and the polling is going on today.

5. At this juncture, this Court cannot interfere with the process of Election. If the petitioner is aggrieved, he may file an election petition challenging the Election in the manner known to law.

6. With the above observation, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-III)

/True Copy/



To

- 1.The Commissioner,
Tamil Nadu Cooperative Societies Election Commission,
Chennai - 18.
 - 2.The Joint Registrar of Cooperative Societies,
The Office of the Joint Registrar of Cooperative Societies,
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The Office of the Registrar of Cooperative Societies,
Pudukottai District.
 - 4.The Election Officer,
T.826, Aranthagi Taluk Agricultural Producers
Cooperative Marketing Society,
Aranthangi Taluk, Pudukottai District.
 - 5.The Electoral Officer,
T.826, Aranthagi Taluk Agricultural Producers
Cooperative Marketing Society,
Aranthangi Taluk, Pudukottai District.
- 1 CC TO Mr.K.R.LAXMAN , ADVOCATE IN SR No. 90900.
+1 cc to Special Government Pleader, SR.No.90976.

SSL/GK

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