



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2018

CORAM:

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

W.P.[MD].Nos.17961, 16422, 17471 and 17826 of 2018
and

W.M.P.(MD).Nos.15842, 15843, 14578, 14579,15366, 15367 and 15704 to
15706 of 2018

W.P.(MD).No.17961 of 2018:-

1.A.Saravanel Murugaiah
2.G.Senthur Pandian
3.M.Ramachandran
4.P.Pitchaimani
5.S.Jeyalakshmi
6.A.Maria Thangam

: Petitioners

Vs.

1.The Election Commissioner,
The Tamil Nadu State Co-operative Society,
Chennai 18.

2.The Registrar/State Election Officer,
Co-operative Societies,
Chennai 10.

3.The Joint Registrar of Co-operative Society/Observer,
Tirunelveli Division.

4.The Deputy Registrar of Co-operative Society,
Tenkasi Circle, Tirunelveli.

5.The Election Officer,
O.1972 Uthumalai Primary Agriculture Co-operative Credit Society,
Uthumalai, V.K.Pudur Taluk, Tenkasi,
Tirunelveli District.

6.V.Murugaiya Pandian.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the first respondent in Na.Ka.No.2691/2018/Koo.They 2, dated 17.07.2018 and quash the same and consequently direct the respondents to abide by



the decision of the Hon'ble Committee appointed by this Court regarding the validity of accepting or rejecting the nominations of the fifth respondent society.

For petitioner : Mr.H.Arumugam
For respondents 1to5 : Mr.K.Chellapandian
Additional Advocate General
Assisted by Mr.A.K.Baskarapandian
Special Government Pleader

W.P. (MD) .No.16422 of 2018:-

Alagaiya : Petitioner

Vs.

- 1.The Registrar of Co-operative Societies/
Election Officer, Chennai 10.
- 2.The Deputy Registrar/The District Election Officer,
Tirunelveli District Co-operative Society,
Tirunelveli District.
- 3.The Secretary/The Election Officer,
O.1972, Uthumalai Primary Agricultural
Co-operative Credit Society,
Tirunelveli District. : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records pertaining to the impugned order passed by the first respondent in Na.Ka.No.2691/2018/Ku The 2, dated 17.07.2018 and quash the same.

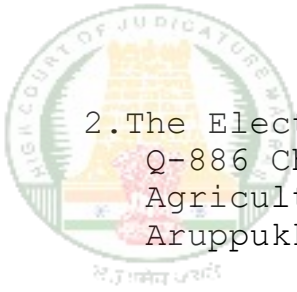
For petitioner : Mr.R.Karthick Rajan
For respondents : Mr.K.Chellapandian
Additional Advocate General
Assisted by Mr.A.K.Baskarapandian
Special Government Pleader

W.P. (MD) .No.17471 of 2018:-

R.Selvam : Petitioner

Vs.

- 1.The Commissioner,
Tamil Nadu State Co-operative Societies Election Commission,
No.273, Kamadhenu Super Market,
First Floor, Anna Salai, Chennai 600 018.



2.The Election Officer,
Q-886 Chathiram Puliyankulam Primary
Agricultural Co-operative Credit Society,
Aruppukkottai, Virudhunagar District.

3.Mr.Muthuramalingam,
Member, Q-886 Chathiram Puliyankulam Primary
Agricultural Co-operative Credit Society,
Aruppukkottai, Virudhunagar District.

4.The District Election Officer,
Tamil Nadu State Co-operative Society Election,
Virudhunagar : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in ந.க.4146/க.கே.2, dated 20.06.2018, passed by the first respondent and quash the same and consequently direct the respondents 1, 2 and 4 to continue the election as per the list of eligible candidates around on 03.05.2018.

For petitioner	:	Mr.T.S.Mohammed Mohideen
For respondents 1,2&4	:	Mr.K.Chellapandian Additional Advocate General Assisted by Mr.A.K.Baskarapandian Special Government Pleader

W.P. (MD).No.17826 of 2018:-
Veerapathiran : Petitioner

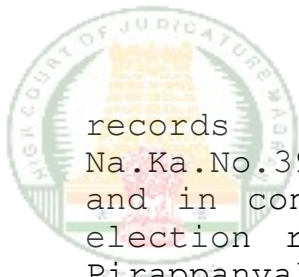
Vs.

1.State of Tamil Nadu,
Represented by its Commissioner,
Tamil Nadu State Co-operative Election Commission,
Kamadenu Super Market Building,
273, Subbarayan Nagar,
Teynampet, Chennai 600 018.

2.The Deputy Registrar of Co-operative Societies,
Vandikara Street,
Ramanathapuram.

3.The Election Officer,
Q1273 Pirappanvalasai Primary
Agricultural Co-operative Credit Society,
Ramanathapuram Taluk, Ramanathapuram District.

4.Durai Ramasamy : Respondents



records pertaining to the impugned proceedings in Na.Ka.No.3947/2018/Koo.Thea 2, dated 26.06.2018 and quash the same and in consequence direct the respondents 1 and 2 to declare the election result conducted by the third respondent for the Q1273 Pirappanvalasai Primary Agricultural Co-operative Credit Society, Ramanathapuram Taluk, Ramanathapuram District in accordance with the provisions of Tamil Nadu Co-operative Rules, 1988.

For petitioner : Mr.R.Senthilkumar
For respondents 1to3 : Mr.K.Chellapandian
Additional Advocate General
Assisted by Mr.A.K.Baskarapandian
Special Government Pleader

COMMON ORDER

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

The issues involved in all these Writ Petitions is one and the same.

2. It is the case of the petitioners that by a unilateral order, the elections were set aside, without affording an opportunity of hearing to them, who are the elected persons and without assigning any reasons.

3. The respective learned counsel appearing for the petitioners would submit that the complaints are also pending before the Hon'ble Committee, as ordered by this Court in W.P.No.7526 of 2017, etc, batch, dated 03.08.2018.

4. Mr.K.Chellapandian, learned Additional Advocate General, assisted by Mr.A.K.Baskarapandian, learned Special Government Pleader for the official respondents, would submit that these matters will have to be looked into by the Hon'ble Committee, as ordered by this Court in the Judgment, referred to supra.

5. In such view of the matter, the impugned proceedings are set aside for want of notice and not containing any reasons and liberty is granted to the petitioners to approach the Hon'ble Committee. Even otherwise, the Hon'ble Committee would go into the said issue, as the complaints are also pending for consideration.

6. The Writ Petitions are allowed, as indicated above. No costs. Consequently, connected Miscellaneous Petitions are closed.

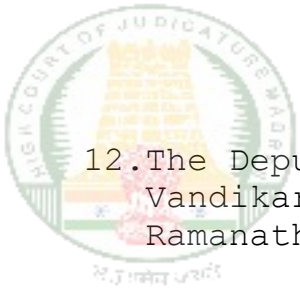
Sd/-
Assistant Registrar(Writs)

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To

1. The Election Commissioner,
The Tamil Nadu State Co-operative Society,
Chennai 18.
2. The Registrar/State Election Officer,
Co-operative Societies,
Chennai 10.
3. The Joint Registrar of Co-operative Society/Observer,
Tirunelveli Division.
4. The Deputy Registrar of Co-operative Society,
Tenkasi Circle, Tirunelveli.
5. The Election Officer,
O.1972 Uthumalai Primary Agriculture Co-operative Credit Society,
Uthumalai, V.K.Pudur Taluk, Tenkasi,
Tirunelveli District.
6. The Registrar of Co-operative Societies/
Election Officer, Chennai 10.
7. The Deputy Registrar/The District Election Officer,
Tirunelveli District Co-operative Society,
Tirunelveli District.
8. The Secretary/The Election Officer,
O.1972, Uthumalai Primary Agricultural
Co-operative Credit Society,
Tirunelveli District.
9. The Commissioner,
Tamil Nadu State Co-operative Societies Election Commission,
No.273, Kamadhenu Super Market,
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10. The Election Officer,
Q-886 Chathiram Puliyankulam Primary
Agricultural Co-operative Credit Society,
Aruppukkottai,
Virudhunagar District.
11. The District Election Officer,
Tamil Nadu State Co-operative Society Election,
Virudhunagar.



12.The Deputy Registrar of Co-operative Societies,
Vandikara Street,
Ramanathapuram.

13.The Election Officer,
Q1273 Pirappanvalasai Primary
Agricultural Co-operative Credit Society,
Ramanathapuram Taluk, Ramanathapuram District.

+1cc to M/S.T.S.Mohammed Mohideen, Advocate SR.No. 78346
+1cc to M/S.H.Arumugam, Advocate SR.No. 78372
+1cc to M/S.R.Senthil Kumar, Advocate SR.No. 78392
+1cc to M/S.R.Karthic Rajan, Advocate SR.No. 78567
+1cc to Special Government Pleader, SR.No. 78827

COMMON ORDER MADE IN
W.P.[MD].Nos.17961, 16422, 17471 and 17826 of 2018
13.08.2018

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JM/SKN/SAR 2/27.08.2018/6P/19C