



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2018

CORAM:

WEB COPY

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

W.P.[MD]No.21701 of 2018

and

W.M.P.[MD] Nos.19621 & 19622 of 2018

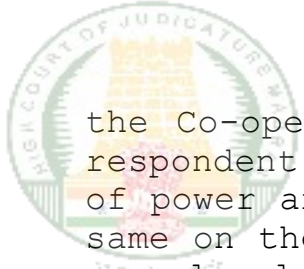
R.Muniyammal

: Petitioner

Vs.

- 1.The Commissioner,
Tamil Nadu State Co-operative Election Commission,
273, Annasalai,
Teynampet, Chennai - 600 018.
 - 2.The Director,
(Sugar Department),
Periyar Maligai,
No.690, Annasalai,
Nanthanam, Chennai.
 - 3.The District Collector,
Madurai District,
Madurai.
 - 4.The District Election Officer,
National Co-operative Sugar Mills Ltd.,
B.Mettupatti,
Madurai District.
 - 5.The Election Officer,
A-2731 National Co-operative Sugar Mills Ltd.,
B.Mettupatti,
Madurai District.
 - 6.A-2731 National Co-operative Sugar Mills Ltd.,
Represented through its Special Officer,
B.Mettupatti,
Madurai District.
- : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari Mandamus, to call for the records pertaining to the impugned list in Form 20 of



the Co-operative Societies Act dated 09.10.2018 issued by the 5th respondent and pass the same on the ground of arbitrary exercise of power and violation of the Constitutional mandate and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently directing the respondent to conduct the free and fair election to the Society namely A-2731 National Co-operative Sugul Mills Ltd. At B.Mettupatti, Madurai District.

For Petitioner : Mr.K.Ravi
 For Respondents : Mr.A.K.Baskara Pandian
 Special Government Pleader

O R D E R

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

The sum and substance of the grievance as sought to be exposed by the petitioner is that the petitioner, though has not withdrawn the nomination, her name has not been found in the list of candidates whose nominations have been accepted.

2.The learned Special Government Pleader appearing for the respondents would submit that the petitioner has withdrawn the nomination on 09.10.2018.

3.Though, the learned Counsel appearing for the petitioner disputes it, we are not inclined to go into the said issue being a disputed question of fact. Hence, in as much as the election process has already started, we are not inclined to entertain the writ petition on that ground also.

4.Accordingly, the Writ Petition is dismissed, with liberty to the petitioner to invoke Section 90 of the Co-operative Societies Act, 1983. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS-I)

To

1.The Commissioner,

<https://hcservices.samiit.go.in/hcservices/> State Co-operative Election Commission,
 273, Annasalai,
 Teynampet, Chennai - 600 018.



2.The Director,
(Sugar Department),
Periyar Maligai,
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5.The Election Officer,
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Madurai District.

6.A-2731 National Co-operative Sugar Mills Ltd.,
Represented through its Special Officer,
B.Mettupatti,
Madurai District.

MR

BU/RSK/SAR-1 :29.10.2018 : 3P/7C

ORDER MADE IN
W.P.[MD]No.21701 of 2018
23.10.2018