



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.18494 of 2018

and

W.M.P. (MD) Nos.16399 and 16400 of 2018

M.Ravichandran

... Petitioner

Vs.

- 1.The Registrar of Co-operative Societies,
170, EVR Road, Dr.Radhakrishnan Nagar,
Razaaak Garden, SBI Officers Colony,
Arumbakkam, Chennai.
- 2.The Joint Registrar of Co-operative Societies,
13A, Kanaga Apartment, Chinna Chokkikulam,
Lady Doak College Road,
Madurai-2.
- 3.The Deputy Registrar Officer/The District Election Officer,
Co-operative Societies,
No.11, Rajaram Street,
Jawhar Nagar,
Thirumangalam Town & Taluk,
Madurai District.
- 4.Primary Agricultural Co-operative Credit Societies,
through its Secretary,
M.D.Special 124, K.Pothampatti,
Usilampatti Taluk,
Madurai District.

... Respondents

PRAYER: The petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the impugned order in Na.Ka.No.481/2018/Election dated 13.08.2018 on the file of the third respondent/District Election Officer/Deputy Registrar, in so far as it relates to and proposes to conduct election afresh in respect of the fourth respondent society and quash the same as illegal, arbitrary and without jurisdiction and consequently direct the respondents to conduct the election to the third respondent society from the stage in which it was put on hold on 03.05.2018 and for other suitable orders.



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For Petitioner

: Mr.H.Lakshmi Shankar

For Respondents

: 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, whose nomination was accepted earlier, has come forward to challenge the subsequent election proposed to be held.

2.The learned counsel appearing for the petitioner would submit that nomination was accepted, but before the election could be conducted, the impugned order has been passed.

3.The learned Additional Advocate General appearing for the respondents would submit that there was a law and order problem and that is the reason why further process could not be made. Hence, after stopping the election process, the matter was referred to the Election Commission. Pursuant to the decision of the Election Commission dated 09.08.2018, the impugned order has been passed.

4.Admittedly, under Rule 52(18)(c) of the Tamil Nadu Cooperative Societies Rules, the Election Commission is the competent authority to take a decision. In such view of the matter, the Writ petition is dismissed with liberty to the petitioner to submit the nomination before the Election Commission. No costs. Consequently, connected W.M.Ps.are closed.

Sd

ASSISTANT REGISTRAR (AS)

TRUE COPY

SUB ASSISTANT REGISTRAR (CS IV)

To

1.The Registrar of Co-operative Societies,
170, EVR Road, Dr.Radhakrishnan Nagar,
Razaaak Garden, SBI Officers Colony,
Arumbakkam, Chennai.

2.The Joint Registrar of Co-operative Societies,
13A, Kanaga Apartment, Chinna Chokkikulam,
Lady Doak College Road, Madurai-2.

<https://hcservices.ecourts.gov.in/hcservices/>
3.The Deputy Registrar Officer/The District Election Officer,
Co-operative Societies,
No.11, Rajaram Street,



Jawhar Nagar,
Thirumangalam Town & Taluk, Madurai District.

4.The Secretary,
Primary Agricultural Co-operative Credit Societies,
M.D.Special 124, K.Pothampatti,
Usilampatti Taluk, Madurai District.

1CC TO M/S. H. LAKSHMI SHANKAR, ADVOCATE SR 80108
1CC TO THE SPL GOVT PLEADER SR 80339

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W.P. (MD) No.18494 of 2018
24.08.2018