



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2018

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND**

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.[MD].Nos.15520, 17927 and 17928 of 2018
and

W.M.P. (MD).Nos.13974, 13975,15806,15807, 15808 and 15809 of 2018

S.Manoharan, Member,
NN 191, Maravamangalam Primary Agricultural
Co-operative Credit Society, Maravamangalam,
Kalaiyarkovil Taluk,
Sivagangai District 630 553

: Petitioner in W.P.(MD).No.15520 of 2018

P.Rajagopal,
O 787 Veppalodai Primary Agricultural Co-operative Credit Society,
Veppalodai Post, Ottapidaram Taluk,
Turicorin District.

: Petitioner in W.P.(MD).No.17927 of 2018

G.Sonai, Member,
NN 627, Pethanenthel Primary
Agricultural Co-operative Credit Society,
Poovanthi, Thiruppuvanam Taluk,
Sivagangai District 630 611.

: Petitioner in W.P.(MD).No.17928 of 2018

Vs.

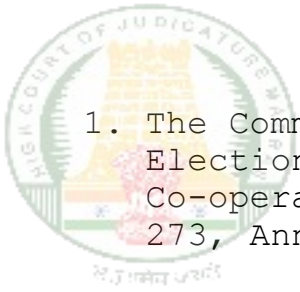
1.The Commissioner,
Election Commissioner for Tamil Nadu,
Co-operative Society,
273, Anna Salai, Thenampet, Chennai.

2.The District Election Officer/Deputy Registrar,
Office of the Deputy Registrar,
Kanchirangal, Opposite to Government Girls College,
Sivagangai.

3.The Election Officer,
NN 191, Maravamangalam Primary Agricultural
Co-operative Credit Society, Maravamangalam,
Kalaiyarkovil Taluk, Sivagangai District.

4.K.Chelliah

: Respondents in W.P.(MD).No.15520 of 2018



1. The Commissioner,
Election Commissioner for Tamil Nadu,
Co-operative Society,
273, Anna Salai, Thenampet, Chennai.
2. The District Election Officer/Deputy Registrar,
Office of the Deputy Registrar Co-operative Credit Society,
Kovilpatti Circle, Kovilpatti, Tuticorin District.
3. The Election Officer,
O 787 Velppalodai Primary Agricultural Co-Operative Credit
Society,
Velppalodai Post, Ottapidaram Taluk,
Tuticorin District.
4. T.B. Thangaselvam,
: Respondents in W.P. (MD). No. 17927 of 2018.
1. The Commissioner,
Election Commissioner for Tamil Nadu,
Co-operative Society,
273, Anna Salai, Thenampet, Chennai.
2. The District Election Officer/Deputy Registrar,
Office of the Deputy Registrar of Co-operative Society,
Kanchirangal, Opposite to Government Girls College,
Sivagangai.
3. The Election Officer,
NN 627 K. Pethanenthel Primary Agricultural Co-Operative Credit
Society,
Thiruppuvanam Taluk, Sivagangai District.
4. P. Manikandan
: Respondents in W.P. (MD). No. 17928 of 2018.

Prayer in WP (MD). 15520/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned order passed by the 1st respondent in his proceedings ந.க.4104/2018/ க.நே.2 dated 27.06.2018 and quash the same as illegal.

Prayer in WP (MD). 17927/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned order passed by the 1st respondent in his proceedings ந.க..1817/2018/க.நே..2 dated 14.06.2018 and quash the same as illegal.

Prayer in WP (MD). 17928/ 2018 :

<https://hcservices.ecourts.gov.in/hcservices/> Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for



the records relating to the impugned order passed by the 1st respondent in his proceedings ந.க..4157/2018/க.தே..2 dated 02.07.2018 and quash the same as illegal.

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For petitioners : Mr.M.Ajmal Khan
Senior Counsel
For M/s.Ajmal Associates
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 in W.P.(MD).Nos.15520 and 17928 of 2018 that they are one among the persons, whose nominations were accepted earlier. At that point of time, some of the nominations were rejected, which was challenged by way of Writ Petition and the said Writ Petition was disposed of along with W.P.No.7526 of 2017, etc, batch, dated 03.08.2018. Accordingly, it was held that the Writ Petitioners will have to ventilate their grievances before the Hon'ble Committee appointed for the aforesaid purpose.

3. Similarly, it is the case of the petitioner in W.P.(MD). No.17927 of 2018 that he and 10 others were already declared as members. This was challenged before the Hon'ble Division Bench, which passed a comprehensive order on 03.08.2018 giving directions to approach the Hon'ble Committee constituted for the said purpose.

4. However, in the meanwhile, 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.

5. Mr.K.Chellapandian, learned Additional Advocate General, assisted by Mr.A.K.Baskarapandian, learned Special Government Pleader for the official respondents, would fairly submit that in view of the decision of the Division Bench of the Principal Seat of this Court, the order under challenge in these Writ Petitions cannot be sustained.

6. In such view of the matter, the impugned proceedings are set aside for want of notice and not containing any reasons. However, this order will not stand in the way of the fourth respondent herein from ventilating grievances before the Hon'ble Committee.



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

Sd/-

Assistant Registrar (P&A)

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/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Commissioner,
Election Commissioner for Tamil Nadu,
Co-operative Society, 273, Anna Salai, Chennai.
2. The District Election Officer/Deputy Registrar,
Office of the Deputy Registrar,
Kanchirangal, Opposite to Government Girls College,
Sivagangai.
3. The Election Officer,
NN 191, Maravamangalam Primary Agricultural
Co-operative Credit Society, Maravamangalam,
Kalaiyarkovil Taluk, Sivagangai District.
4. The Election Officer,
NN 627, Pethanenthel Primary
Agricultural Co-operative Credit Society,
Poovanthi, Thiruppuvanam Taluk, Sivagangai District.
5. The District Election Officer/Deputy Registrar,
Office of the Deputy Registrar of Co-operative Society,
Kovilpatticircle Office, Kovilpatti,
Tuticorin District.
6. The Election Officer,
O 787 Veppalodai Primary Agricultural Co-operative Credit Society,
Veppalodai Post, Ottapidaram Taluk,
Tuticorin District.

+3CCs M/s.Ajmal Associates in Sr.No.78940,78942,78943.

+1CC Special Government Pleader in Sr.No.78815.

NB

DS/RSK/SAR-1 :30.08.2018: 4P/11C

COMMON ORDER MADE IN

W.P. [MD] .Nos.15520, 17927 and 17928 of 2018

and

W.M.P. (MD) .Nos.13974, 13975,15806,15807, 15808 and 15809 of 2018

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