



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **07.09.2018**

CORAM:

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

AND

THE HONOURABLE MR.JUSTICE **N.SATHISH KUMAR**

W.P. [MD] .Nos.19434 and 19435 of 2018

and

W.M.P. (MD) .Nos.17274 and 17275 of 2018

Venguniyan : Petitioner in W.P.(MD).No.19434 of 2018
Narayanan : Petitioner in W.P.(MD).No.19435 of 2018

Vs.

1. The Election Commission,
Office of the Tamil Nadu State Co-operative Societies,
273, Anna Salai, Teynampet, Chennai 600 018.
2. The District Registrar,
Co-operative Societies,
Virudhunagar District.
3. The Joint Registrar/District Election Officer,
Co-operative Societies, Srivilliputhur Range,
Virudhunagar District.
4. The Secretary,
O.261, Kothaneri Primary Agricultural Co-operative Loan
Society, Office at Sevalur, Erichanatham,
Sivakasi Taluk,
Virudhunagar District. : Respondents in both WPs.

COMMON PRAYER: Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents from electing President, Secretary, Treasurer and Directors to the fourth respondent society in an unfair manner, by considering the petitioner's representation dated 01.09.2018 made to the first respondent and direct the third respondent to conduct election in a fair and transparent manner.

For petitioners : Mr.AN.Ramanathan(In Both WPs)
For respondents 1to3 : Mr.K.Chellapandian (In Both WPs)
Additional Advocate General
Assisted by
Mr.A.K.Baskarapandian
Special Government Pleader
For Respondent No.4 : Mr.E.Mareeskumar (In Both WPs)

**COMMON ORDER**

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

Admittedly, the election is over. Thus, we are of the view that inasmuch as the election is already over, the only way open to the petitioners is to invoke Section 90 of the Tamil Nadu Co-operative Societies Act, 1983. Therefore, we do not find any merit in these Writ Petitions. Considering the facts and circumstances of the case, the petitioners are given two weeks time from the date of receipt of a copy of this order to raise dispute before the Registrar of Co-operative Societies. As and when such dispute is raised, the Registrar concerned shall consider and dispose of the same within a period of three months thereafter.

2. The Writ Petitions are disposed of with the above observation. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Election Commission,
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Society, Office at Sevalur, Erichanatham, Sivakasi Taluk,
Virudhunagar District.

+2cc to Mr.AN.Ramanathan, Advocate Sr.No.83162,83163

NB

VB/RP/SAR2/28.09.2018/2P/7C