



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2018

CORAM:

WEB COPY

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

W.P.[MD].No.17794 of 2018  
and  
W.M.P. (MD) .No.15675 of 2018

T.Susila

: Petitioner

**Vs.**

1. The State of Tamil Nadu,  
Represented by its Secretary,  
Co-operation, Food and Consumer Protection Department,  
Secretariat, Fort.St.George, Chennai 9.
2. The Election Commission,  
Tamil Nadu State Co-operative Societies,  
Rep by its Secretary,  
No.273, Kamadenu Super Market,  
First Floor, Anna Salai,  
Chennai 600 018.
3. The Registrar of Co-operative Societies,  
Chetpet, Chennai 600 010.
4. Dr.M.Rajendran, I.A.S.,  
Now functioning as Election Commissioner,  
Tamil Nadu State Co-operative Societies,  
Chennai 600 018.
5. The Joint Registrar [Co-operative Societies],  
Kanyakumari.
6. The Deputy Registrar [Co-operative Societies],  
Nagercoil, Kanyakumari District.

: Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to recount the votes of Y14 Primary Agricultural Co-operative Credit Society, Arumanallur within stipulated time, including the petitioner's name in women candidate.



For petitioner  
For respondents

: Mr.T.A.Ebenezer  
: Mr.K.Chellapandian  
Additional Advocate General  
Assisted by Mr.A.K.Baskarapandian  
Special Government Pleader

WEB COPY

**O R D E R****\*\*\*\*\*****[Order of the Court was made by M.M.SUNDRESH, J.]**

The petitioner has come forward with this Writ Petition on a factual premise that she has been considered under general category as against the women category. The petitioner is one of the candidates, who contested in the election, but, failed to get elected under the general category.

2. Admittedly, the election is over. What is going to be held tomorrow is the selection of the Office Bearers, viz., President, Secretary, etc. Therefore, the grievance of the petitioner is with respect to categorization. Thus, we are of the view that inasmuch as the election is already over, the only way open to the petitioner is to invoke Section 90 of the Tamil Nadu Co-operative Societies Act, 1983. Thus, we do not find any merit in this Writ Petition. Considering the facts and circumstances of the case, the petitioner is given two weeks time from the date of receipt of a copy of this order to raise a dispute before the Registrar of Co-operative Societies. The petitioner is also given liberty to move appropriate interim application before the aforesaid authority. As and when the same is filed, the Registrar concerned shall consider and dispose of the application seeking interim order within a period of one week from the date of receipt of application from the petitioner.

3. The Writ Petition is disposed of with the above observation. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-IV)

**To**

1. The Secretary to Government,

<https://hcservices.ecourts.gov.in/hcservices/>Co-Operation, Food and Consumer Protection Department,  
Secretariat, Fort.St.George, Chennai 9.



2. The Secretary,  
Election Commission,  
Tamil Nadu State Co-operative Societies,  
No.273, Kamadenu Super Market,  
First Floor, Anna Salai,  
Chennai 600 018.
  3. The Registrar of Co-operative Societies,  
Chetpet, Chennai 600 010.
  4. Dr.M.Rajendran, I.A.S.,  
(Now functioning as Election Commissioner),  
Tamil Nadu State Co-operative Societies,  
Chennai 600 018.
  5. The Joint Registrar [Co-operative Societies],  
Kanyakumari.
  6. The Deputy Registrar [Co-operative Societies],  
Nagercoil, Kanyakumari District.
- + 1 CC TO Mr.T.A.EBENEZER, ADVOCATE IN SR No. 77900  
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 78299

NB

TE/KAK/SAR-4 : 27/08/2018 : 3P/9C

ORDER MADE IN  
W.P.[MD].No.17794 of 2018  
10.08.2018