



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.[MD].No.17874 of 2018

and

W.M.P. (MD) .No.15759 of 2018

Muthupandian

: Petitioner

Vs.

1.The Commissioner,

Tamil Nadu Co-operative Societies Election Commission,
273, Scheme Road, Subbarayan Nagar,
Teynampet, Chennai.

2.The Joint Registrar of Co-operative Societies,
Thoothukudi, Thoothukudi District.

3.The Deputy Registrar of Co-operative Societies,
District Election Officer,
Kovilpatti, Thoothukudi District.

4.The Election Officer,

T.N.56, Chettikuruchi Primary
Agricultural Co-operative Society,
Chettikuruchi, Kayathar Taluk, Kovilpatti,
Thoothukudi District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the fourth respondent herein dated 07.08.2018, declaration of elected candidates for T.N.56, Chettikuruchi Primary Agricultural Co-operative Society and quash the same consequently directing the respondents to conduct fresh election for T.N.56, Chettikuruchi Primary Agricultural Co-operative Society, Chettikuruchi, Kayathar Taluk, Kovilpatti, Thoothukudi District.

For petitioner : Ms.A.N.Ramuthai

For Ms.K.Mahalakshmi

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.]**

Today, when the Writ Petition is taken up for hearing, while refuting the averments made in the affidavit filed in support of the Writ Petition, it is stated by the learned Additional Advocate General that the petitioner himself is one of the elected persons.

2. In view of the above, inasmuch as the election itself is over and the issues are factual, the only remedy open to the petitioner is to invoke Section 90 of the Tamil Nadu Co-operative Societies Act, 1983.

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

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

- 1.The Commissioner,
Tamil Nadu Co-operative Societies Election Commission,
273, Scheme Road, Subbarayan Nagar,
Teynampet, Chennai.
- 2.The Joint Registrar of Co-operative Societies,
Thoothukudi, Thoothukudi District.
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- 4.The Election Officer,
T.N.56, Chettikuruchi Primary Agricultural Co-operative Society,
Chettikuruchi, Kayathar Taluk, Kovilpatti,
Thoothukudi District.

+1CC to the Special Government Pleader SR.No. 78823

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