



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2018

CORAM:

WEB COPY

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

W.P.[MD].No.17980 of 2018

and

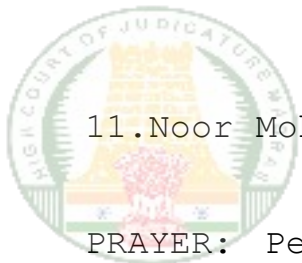
W.M.P. (MD) .Nos.15861 and 15862 of 2018

Vellaichamy

: Petitioner

Vs.

1. The State Election Commissioner,
Tamilnadu State Co-operative Societies Election Commission,
273, Anna Salai,
Teynampet,
Chennai - 18.
2. The District Project Officer/District Election Officer,
Ramanathapuram Region,
Ramanathapuram.
3. The Joint Director,
Fisheries Department,
Ramanathapuram.
4. The Election Officer,
Q-698 Fisheries Co-operative Society Ltd.,
Pasipattinam,
Thiruvadanai Taluk,
Ramanathapuram District.
- 5.Muthukrishnan
- 6.Kalandhar Naina
- 7.Ramalingam
- 8.Palaniandi
- 9.Gopal



11.Noor Mohammed

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the fourth respondent herein Nil dated 07.08.2018 and quash the same and consequently directing the respondents herein to conduct the elections for the posts of Office bearers/Members of Q-698 Fisheries Co-operative Society Ltd., Pasipattinam, Thiruvadanai Taluk, Ramanathapuram District.

For petitioner : Mr.N.Mariappan
For respondents : Mr.K.Chellapandian
Additional Advocate General
Assisted by Mr.A.K.Baskarapandian
Special Government Pleader

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 for the issuance of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the fourth respondent herein Nil dated 07.08.2018 and quash the same and consequently directing the respondents herein to conduct the elections for the posts of Office bearers/Members of Q-698 Fisheries Co-operative Society Ltd., Pasipattinam, Thiruvadanai Taluk, Ramanathapuram District.

2. Admittedly, the election is over. What is going to be held 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 Petitions are closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The State Election Commissioner,
Tamilnadu State Co-operative Societies
Election Commission, 273,
Anna Salai,
Teynampet, Chennai - 18.
2. The District Project Officer /
District Election Officer,
Ramanathapuram Region, Ramanathapuram.
3. The Joint Director,
Fisheries Department,
Ramanathapuram.
4. The Election Officer,
Q-698 Fisheries Co-operative Society Ltd.,
Pasipattinam, Thiruvadanai Taluk,
Ramanathapuram District.

+1cc to Mr.N.Mariappan, Advocate SR.No.78995
+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.78804
Cm
MK/SKN/SAR 4/28.08.2018/3P/7C

ORDER MADE IN
W.P. [MD] .No.17980 of 2018
and W.M.P. (MD) .Nos.15861 and 15862 of 2018
14.08.2018