



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 01.11.2018

CORAM:
THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.[MD]No.22305 of 2018
and W.M.P(MD) No.20220 of 2018

P.Subulakshmi : Petitioner

Vs.

1.State of Tamil Nadu
Rep. by its Principal Secretary,
Department of Animal Husbandry,
Dairying and Fisheries,
Chennai - 9.

2.The Election Commissioner,
State Co-operative Election Commission,
Chennai.

3.The District Election Officer,
O/o.The District Election Officer,
Collectorate Campus,Kokarakulam,
Tirunelveli,Tirunelveli District.

4.TYD.245 Tirunelvli District Co-operative Milk Producers,
Co-operative Society,
Rep. by the Election Officer,
Rediyarpatti,
Tirunelveli District.

5.N.Chinathurai

6.N.Parvathy : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of declaration to declare the selection of the respondent No.5 as President and respondent No.6 as Director of TYD 245 Tirunelveli District Co-operative Milk producers Union as illegal and consequently direct the respondent No.2 and 3 to conduct fresh election for Tirunelveli District Co-operative Milk Producers Union, Tirunelveli District within the time period stipulated by this Court.

For Petitioner

For R1 to R3

: Mr.T.Lajapathi Roy

: Mr.K.Chellapandian

Additional Advocate General

Assisted by Mr.A.K.Baskara Pandian

Special Government Pleader

O R D E R

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

The relief sought for in this Writ petition cannot be granted as the Division Bench of this Court in an earlier occasion was pleased to restrict the pending complaints alone.

2.The learned Counsel for the petitioner would submit that though the petitioner was a party to the earlier Division Bench order, the objection could not be given within time. Thus, it was returned. Therefore, he prays that the petitioner may be permitted to give objections.

3.We are not inclined to consider the request made by the learned Counsel appearing for the petitioner. Any direction would amount to redeeming the order passed by the earlier Division Bench. However, the petitioner is given liberty to invoke Section 90 of the Tamil Nadu Co-operative Societies Act, 1983 and file a petition before the appropriate authority within a period of four [4] weeks from the date of receipt of a copy of this order. As and when the said petition is filed, the same shall be disposed of, within a period of three [3] months thereafter.

4.The Writ Petition stands disposed of, accordingly. No costs. Consequently, connected W.M.P.(MD) No.20220 of 2018 is closed.

Sd/

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar(CS-I)

To

1.Principal Secretary to Government,
Department of Animal Husbandry,
Dairying and Fisheries, Chennai - 9.

2.The Election Commissioner, State Co-operative Election
Commission, Chennai.

3.The District Election Officer, O/o. The District Election Officer,
Collectorate Campus, Kokarakulam, Tirunelveli, Tirunelveli District.

+1cc to Mr.T.Lajapathi Roy, Advocate, SR.No. 94170

+1cc to M/s.Special Government Pleader, SR.No.94247

ORDER MADE IN
W.P.[MD]No.22305 of 2018
and W.M.P.(MD) No.20220 of 2018
01.11.2018

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