



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P. (MD) No.18053 of 2018

and

WMP (MD) Nos.15951 and 15952 of 2018

T.Gnanasekaran

... Petitioner

vs.

- 1.The Registrar of Co-operative Society,
Kilpauk, Chennai.
- 2.The Joint Registrar of Co-operative Society,
Ramanathapuram,
Ramanathapuram District.
- 3.The District Registrar of Co-operative Society,
Ramanathapuram,
Ramanathapuram District.
- 4.The Election Officer,
Q-637, Erattaiyurani Primary Agriculture
Co-operative Credit Society,
Erattaiyurani,
Ramanathapuram District.
- 5.Rajendran

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified mandamus calling for the records relating to the impugned declaration by the 4th respondent dated 11.08.2018 for the election result pertaining to Q-637 Erattaiyurani Primary Agriculture Co-operative Credit Society for the post of President quash the same and direct the respondents 1 to 4 to conduct re-election for the post of the President of Q-637 Erattaiyurani Primary Agriculture Co-operative Credit Society.

For Petitioner : Mr.N.Tamilmani

For R1 to R4 : Mr.K.Chellapandian

Additional Advocate General,
assisted by Mr.A.K.Baskarapandian
Additional 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 challenging the election conducted to the post of President. It appears that there are only two contestants viz., the petitioner and 5th respondent. There are 11 posts. The petitioner claims 5 votes in his favour apart from himself.

2.The learned Additional Advocate General appearing for the respondents 1 to 4 produced records and stated that in fact six votes were cast in favour of the 5th respondent and the petitioner has secured only 5.

3.The learned counsel appearing for the petitioner would submit that this is factually incorrect. The petitioner filed affidavit stating that he secured five votes apart from himself.

4.We cannot go into this factual dispute. This matter has to be agitated before the Registrar of Co-operative Societies, under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983. Thus, we do not find any merit in this Writ Petition. However, the petitioner is at liberty to file appropriate application before the concerned Registrar of Co-operative Societies. As and when application is filed, the Registrar shall consider and dispose of the same within a period of two months from the date of receipt of application from the petitioner.

5.The Writ Petition is disposed of accordingly. No costs. Consequently, WMP(MD)Nos.15951 and 15952 of 2018 are closed.

Sd/-

Assistant Registrar(RTI)

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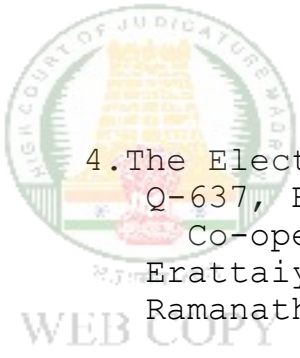
Sub Assistant Registrar(CS-I)

To

1.The Registrar of Co-operative Society,
Kilpauk, Chennai.

2.The Joint Registrar of Co-operative Society,
Ramanathapuram,
Ramanathapuram District.

3.The District Registrar of Co-operative Society,
Ramanathapuram,
Ramanathapuram District.



4.The Election Officer,
Q-637, Erattaiyurani Primary Agriculture
Co-operative Credit Society,
Erattaiyurani,
Ramanathapuram District.

W.P. (MD) No.18053 of 2018
16.08.2018

mj

JM/SKN RSK/SAR 1/16.08.2018/3P/5C