



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.18076 of 2018

J.Arockia Kamaladhasan

... Petitioner

vs.

1. The Assistant Director/
District Election Officer for Cooperative Societies,
Fisheries Department,
Ramanathapuram,
Ramanathapuram District.

2. Q 1043, Fisheries Cooperative Societies,
rep.by the Election Officer,
Rojma Nagar,
Kannirajapuram Post,
Kadaladi Taluk,
Ramanathapuram District.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent No.1 to select the petitioner for the post of board of Director based on 173 votes obtained by the petitioner in Q 1043, Fisheries Cooperative Societies Rojma Nagar, Kadaladi Taluk, Ramanathapuram District by considering the representation made by the petitioner dated 10.08.2018 within the time stipulated by this Court.

For Petitioner	:	Mr.I.Pinaygash
For Respondents	:	Mr.A.K.Baskarapandian Special Government Pleader

O R D E R

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

Election was conducted for the post of Board of Director in Q 1043, Fisheries Cooperative Societies, Rojma Nagar, Kadaladi Taluk, Ramanathapuram District. The petitioner and one Perinbam



got 173 votes each. Aggrieved over the same and without challenging the aforesaid selection, the petitioner has come forward to file the present writ petition, seeking direction to the first respondent to select him to the post of Board of Director.

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2. We do not find any merit in this petition. Admittedly, the selected Director has not been made as a party. His selection has also not been challenged. Further, election has been made based upon Rule 52 (16) of the Tamil Nadu Cooperative Societies Rules, 1988, which prescribes casting of lots by the Election Officer, whenever there is a tie. Accordingly, the aforesaid process has been adopted. If the petitioner got any grievance, his remedy lies elsewhere.

3. In such view of the matter, this writ petition is dismissed, giving liberty to the petitioner to work out his remedy in the manner known to law. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Assistant Director/
District Election Officer for Cooperative Societies,
Fisheries Department,
Ramanathapuram,
Ramanathapuram District.
2. The Election Officer,
Q 1043, Fisheries Cooperative Societies,
Rojma Nagar,
Kannirajapuram Post,
Kadaladi Taluk,
Ramanathapuram District.

+ 1 CC TO Mr. I. PINAYGASH, ADVOCATE IN SR No. 78889
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 79122

MJ

TE/RP/SAR-1 : 03/09/2018 : 2P/5C