



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.08.2018

CORAM:

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

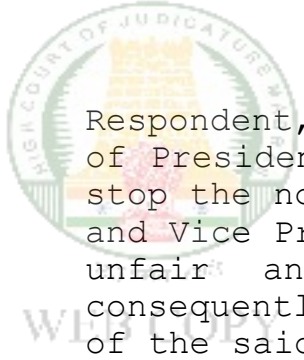
W.P.[MD].Nos.18164 to 18170 of 2018
and
W.M.P.[MD].Nos.16070 to 16083 of 2018

D.Udhayasankar	: Petitioner in W.P.[MD].No.18164 of 2018
S.Radhakrishnan	: Petitioner in W.P.[MD].No.18165 of 2018
T.Pool Pandian	: Petitioner in W.P.[MD].No.18166 of 2018
M.Murugan	: Petitioner in W.P.[MD].No.18167 of 2018
E.Lakshmi Ammal	: Petitioner in W.P.[MD].No.18168 of 2018
E.Mookkaiah	: Petitioner in W.P.[MD].No.18169 of 2018
P.Parvathi	: Petitioner in W.P.[MD].No.18170 of 2018

Vs.

- 1.The Co-operative Societies Election Commissioner,
Anna Salai,
Teynampet,
Chennai - 18.
 - 2.The District Election Officer /
Deputy Registrar of Co-operative Societies,
Thoothukudi,
Thoothukudi District.
 - 3.The Election Officer,
O.1140, Karungulam Co-operative Stores,
Karungulam,
Srivaikundam Taluk,
Thoothukudi District.
- : Respondents in all WPs.

COMMON PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records from the 3rd respondent / election officer with regard to the publication of Eligible Candidates for the 3rd



Respondent, Karungulam Co-operative Stores and the subsequent result of President and vice President election fixed on 17.08.2018 and to stop the notification being issued for the election of the President and Vice President to be issued on 17.08.2018 which is the result of unfair and corrupt election practice, quash the same and consequently direct the 3rd respondent to scrutinize the nomination of the said society once again and commence the election proceedings according to Co-operative Societies Law, Rules and Guidelines issued by the 1st respondent, once again directing the 1st respondent to cancel the scrutiny illegally done dated 11.08.2018 made without following the procedure, without fair and free manner done by the 3rd respondent election officer, by considering the written representation dated 11.08.2018 by the petitioner or otherwise within the time to be fixed by this Court for the 3rd respondent O.1140, Karungulam Co-operative Stores.

For Petitioner	: Mr.P.Senthurpandian (In all W.Ps)
For Respondents	: Mr.K.Chellapandian, Additional Advocate General, Assisted by, Mr.A.K.Baskarapandian, Special Government Pleader (In all W.Ps)

COMMON ORDER

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

The prayer, as such, sought for by the petitioners cannot be granted. Admittedly, the election to the Board is over. Thus, the only remedy that is now open to the petitioners is to approach the Registrar of Co-operative Societies, in view of the order of the Hon'ble Division Bench of this Court in W.P.No.7526 of 2018 etc., batch, dated 03.08.2018. Though the election to some posts, viz., President, Vice President, etc., is not over, the same can only be challenged before the Registrar of Co-operative Societies, under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983.

2. In such a view of the matter, we are not inclined to entertain these writ petitions and accordingly, all the writ petitions are dismissed. However, liberty is given to the petitioners to exhaust the remedy as indicated above. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/



To

1.The Co-operative Societies Election Commissioner,
Anna Salai,
Teynampet,
Chennai - 18.

2.The District Election Officer /
Deputy Registrar of Co-operative Societies,
Thoothukudi,
Thoothukudi District.

3.The Election Officer,
O.1140, Karungulam Co-operative Stores,
Karungulam,
Srivaikundam Taluk,
Thoothukudi District.

+1CC TO MR.P.SENTHUR PANDIAN, ADVOCATE IN SR.NO.79397.

+1CC TO SPECIAL GOVERNMENT PLEADER IN SR.NO.79672.

GK

DS RP SAR-1:11.09.2018: 3P/6C

W.P.[MD].Nos.18164 to 18170 of 2018
and
W.M.P.[MD].Nos.16070 to 16083 of 2018
21.08.2018