



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].No.18217 of 2018
and
W.M.P.[MD].No.16124 of 2018

S.Jeyapal : Petitioner

Vs.

1. The Joint Registrar (Co-operative),
O/o. Joint Registrar,
Collectorate Campus,
Dindigul District.
2. The Deputy Registrar (Co-operative),
Palani & Taluk,
Dindigul District.
3. M.Ravichandran,
Election Officer (Poombarai P.A.C.S., A-1290),
Field Manager,
Kodaikanal - Dindigul District Co-operative Society,
Kodaikanal Taluk,
Dindigul District. : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 & 2 to permit the Office Bearers to function who were elected in the Election dated 27.04.2018.

For Petitioner : Mr.N.Sivakumar
For Respondents 1 & 2 : Mr.K.Chellapandian,
Additional Advocate General,
Assisted by
Mr.A.K.Baskarapandian,
Special Government Pleader

ORDER

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

Bearers to function, in pursuant to the election held on 27.04.2018.

2. The learned Additional Advocate General, on instructions, would submit that the aforesaid election has been cancelled by the decision of the Election Commission, dated 15.05.2018. Thereafter, fresh election is proposed on 24.08.2018. Reliance has been made on the subsequent proceedings in Na.Ka.No.321/2018/Koo.The.1(1), dated 09.08.2018.

3. In view of the above, there are only two options open to the petitioner. One is to challenge the decision of the Election Commission, dated 15.05.2018, in the manner known to law and the second one is to participate in the next election. In any eventuality, this writ petition fails as it is not maintainable. Accordingly, this writ petition is dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Joint Registrar (Co-operative),
O/o. Joint Registrar,
Collectorate Campus,
Dindigul District.

2. The Deputy Registrar (Co-operative),
Palani & Taluk,
Dindigul District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 79637

GK

TE/SKN/SAR-1 : 10/09/2018 : 2P/4C

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W.M.P.[MD].No.16124 of 2018
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