



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2018

CORAM:

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

W.P.[MD].No.18259 of 2018

and

W.M.P.[MD].Nos.16158 & 16159 of 2018

D.Udhayasankar

: Petitioner

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

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 result of the election of the directors of the 3rd Respondent society published on 18.08.2018 and that of it relating to the publication of the result of the president and vice president for the 3rd respondent Karungulam Co-operative Stores on 24.08.2018 or any subsequent day, which is the result of unfair and corrupt election practice, quash both and consequently direct the 3rd respondent to scrutinize the nomination of the petitioner and his team once again for the election of the directors of the society, conduct the director election once again and the election of the President and Vice President fixed on 24.08.2018 once again according to Co-operative Societies Law, Rules and Guidelines issued by the 1st respondent.



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For Petitioner
For Respondents

: Mr.P.Senthurpandian
: 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.]

Heard the learned Counsel appearing on either side.

2. The prayer, as such, sought for by the petitioner cannot be granted. Admittedly, the election to the Board is over. Thus, the only remedy that is now open to the petitioner is to approach the Registrar of Co-operative Societies, under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983, 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.

3. In such a view of the matter, we are not inclined to entertain this writ petition and accordingly, the same is dismissed. However, liberty is given to the petitioner to exhaust the remedy as indicated above. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-I)

To

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Thoothukudi District.

GK

TE/SKN/SAR-1 : 07/09/2018 : 2P/4C