



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.18267 of 2018

and

W.M.P.[MD].Nos.16173 to 16175 of 2018

T.Asaithambi

: Petitioner

Vs.

1.The District Election Officer /
Deputy Registrar,
O/o. The Deputy Registrar of
Co-operative Society,
Madurai Circle,
Madurai.

2.The Superintendant of Police,
Madurai District,
Madurai.

3.The Election Officer,
A.2979, Thirumokur Primary
Agricultural Co-operative Credit Society,
Thirumokur,
Y.Othakadai Taluk,
Madurai District.

4.The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the impugned order passed by the third respondent dated NIL and consequential letter sent by the fourth respondent dated 15.08.2018 and quash the same as illegal.

For Petitioner

: Mr.P.Subbaraj

For Respondents

: 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.

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2. This writ petition has been filed challenging the decision to stop the election apprehending law and order problem.

3. The learned Additional Advocate General, on instructions, would submit that decision in this regard, ie., with respect to conducting re-election or proceeding further from the stage at which the process stopped, can only be taken by the Election Commission.

4. In such a view of the matter, we direct the Election Commissioner of State Co-operative Societies, Election Commission Office, No.273, Anna Salai, Teynampet, Chennai - 600 018, to make a decision within a period of two weeks from the date of receipt of a copy of this order. Based upon the said decision, the respondents shall conduct the election within a further period of four weeks thereafter.

5. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/

Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar(CS-II)

To

1.The Election Commissioner of
State Co-operative Societies,
Election Commission Office,
273, Anna Salai,
Teynampet, Chennai - 600 018.

2.The District Election Officer /
Deputy Registrar,
O/o. The Deputy Registrar of
Co-operative Society,
Madurai Circle, Madurai.

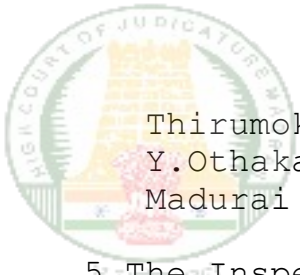
3.The Superintendant of Police,
Madurai District,
Madurai.

4.The Election Officer,

<https://hcservices.ecourts.gov.in/hcservices/>

A.2979, Thirumokur Primary

Agricultural Co-operative Credit Society,



Thirumokur,
Y.Othakadai Taluk,
Madurai District.

5.The Inspector of Police,
Y.Othakadai Police Station,
Madurai District.

+1cc to Mr.P.Subbaraj, Advocate, SR.No.79340
+1cc to M/s.Special Government Pleader,SR.No.79636

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and
W.M.P. [MD] .Nos.16173 to 16175 of 2018
21.08.2018

GK
KK/RSK/SAR-2/30.08.2018/3P-8C