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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.[MD].No.18316 of 2018

and

W.M.P. (MD).Nos.16185 and 16186 2018

M.Kannan,
S/o.Mariappan,
Member No.9168, R2 Puliampatti Co-operative Pandagasalai Limited,
Door No.43, Ambalam Karuthaiah Street,
Aruppukkottai, Virudhunagar District. : Petitioner

Vs.

- 1.The Commissioner,
Tamil Nadu State Co-operative Societies Election Commission,
No.273, Kamadhenu Super Market,
First Floor, Anna Salai, Chennai 600 018.
- 2.The Election Officer,
A-1382, Virudhunagar District All Co-operative Consumer Depot,
Aruppukkottai Main Road, Virudhunagar, Virudhunagar District.
- 3.The Joint Registrar,
Office of Joint Registrar,
No.137, B.K.P.V.Complex, Second Floor,
Aruppukkottai, Virudhunagar District.
- 4.The District Election Officer,
Tamil Nadu State Co-operative Society Election,
137, B.K.P.V.Complex, Second Floor,
Aruppukkottai, Virudhunagar District. : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in Na.Ka.No.321/2018/KOO THEY 1(1), dated 11.08.2018, passed by the first respondent and subsequently change the election notice published in daily Thanthi Newspaper on 13.08.2018 by the fourth respondent and quash the same and consequently direct the respondents to continue the process of election as per the list of eligible candidates announced/affixed by the second respondent dated 11.08.2018.

For petitioner

: Mr.S.J.Chakkaravarthy

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

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.]

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What has been challenged is the decision of the Election Commission, by which a fresh election was conducted from the stage of receipt of nomination as against the earlier scrutiny of nomination done. Thus, the petitioner cannot be termed as an aggrieved person. Admittedly, the earlier election was not conducted. In such view of the matter, we are not inclined to entertain this Writ Petition. Accordingly, the Writ Petition shall stand dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

- 1.The Commissioner,
Tamil Nadu State Co-operative Societies Election Commission,
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137, B.K.P.V.Complex, Second Floor,
Aruppukkottai, Virudhunagar District.

+1CC TO SPECIAL GOVERNMENT PLEADER IN S.R.NO.80010.

+1CC TO MR.S.J.CHAKKARAVARTHY, ADVOCATE IN SR.NO.79616.

NB

DS RSK SAR-4: 28.09.2018: 2P/7C