



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

and

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.18599 of 2018

and W.M.P.(MD) Nos.16458 and 16459 of 2018

S.Karuppaiah

... Petitioner

-vs-

- 1.The State Co-operative Election Commissioner,
Tamil Nadu Cooperative Societies,
Election Commission,
273, Anna Salai, Thenampettai,
Chennai - 18.
- 2.The Registrar of Co-operative Societies,
N.V.N.Natarasan Maaligai,
170, EVR Periyar High Road,
Kilpauk, Chennai -10.
- 3.The District Collector,
Madurai Collector Office,
Collector Office Campus,
Madurai.
- 4.The Joint Registrar,
Co-operative Society,
Alagapuri Post,
Alanganallur,
Madurai District.
- 5.The Deputy Registrar,
Cooperative Societies,
Deputy Registrar Office,
Madurai.
- 6.The Election Officer/Secretary,
A 2925, Alagapuri Primary Agricultural Loan Cooperative Society,
Alagapuri Post,
Alanganallur,
Madurai.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, calling for the records relating to the election proceedings of selected



members List of the 6th Respondent dated 18.08.2018 and the direction may be given to the respondents to quash the selected list of members and to stop the election of President and Vice President going to be conducted on 24.08.2018.

For Petitioner : M/s.Jeyarani
For Respondents : Mr.A.K.Baskara Pandian
Special Government Pleader

O R D E R

(Order of the Court was made by M.M.SUNDRESH, J.)

The petitioner, who is a member of A 2925, Alagapuri Primary Agricultural Loan Cooperative Society has come forward to challenge the Selected Members List dated 18.08.2018 on the ground that number of votes have been wrongly rejected. Consequently, the petitioner sought the election to the post of President and Vice President to be stopped.

2.The learned counsel for the petitioner would submit that more than 500 votes have been made invalid wrongly.

3.The learned Special Government Pleader appearing for respondents would submit that though there are only 6 posts available to the general category, the votes, which have been disqualified, were cast more than that.

4.Admittedly the election to Directors is over. Now, the elected candidates are not before us. We cannot go into the factual dispute. Therefore, this matter has to be agitated before the Registrar of Co-operative Societies, under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983.

5.In such view of the matter, the Writ Petition is disposed of giving liberty to the petitioner to file appropriate application before the concerned Registrar of Co-operative Societies. As and when application is filed, the Registrar shall consider and dispose of the same within a period of two months from the date of receipt of application from the petitioner. Consequently, WMP(MD) Nos.16458 and 16459 of 2018 are closed. No costs.

Sd/-
Assistant Registrar (Crl. Side)

/True Copy/

Sub Assistant Registrar(CS-I)



To

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Alanganallur,
Madurai.

+1cc to s.Jeyarani, Advocate SR.No.80116

+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.80338

Sj

MK/RP/SAR 1/07.09.2018/3P/9C

W.P.(MD) No.18599 of 2018

24.08.2018