



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P (MD) No.18759 of 2018
and
WMP (MD) Nos.16598 and 16599 of 2018

M.Senthil Murugan

.. Petitioner

Vs.

1.The Commissioner,
Tamil Nadu Cooperative Societies Election Commission,
273, Scheme Road,
Subbarayan Nagar,
Teynampet,
Chennai.

2.The Joint Registrar of Cooperative Societies,
Virudhunagar,
Virudhunagar District.

3.The Deputy Registrar of Cooperative Societies,
District Election Officer,
Aruppukottai,
Virudhunagar District.

4.The Election Officer,
RA-271.Sembon Nerunchi Primary Agricultural
Cooperative Society,
Sembon Nerunchi Village,
Aanaikulam Post,
Tiruchuli Taluk,
Virudhunagar District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the declaration notice dated 07.08.2018 issued by the 4th respondent herein declaring the 11 elected candidates duty elected as unopposed for the officer bearers (Executive Committee members) to the RA-271-Sembon Nerunchi Primary Agricultural Co-operative Society, Aanaikulam Post, Tiruchuli Taluk, Virudhunagar District and quash the same consequently directing the respondents to conduct fresh election for the RA-271-Sembon Nerunchi Primary Agricultural Cooperative Society, Aanaikulam Post, Tiruchuli Taluk, Virudhunagar District.



For Petitioner
For Respondents

: Mr.K.Saburkhan
: Mr.K.Chellapandian
Additional Advocate General
Assisted by Mr.A.K.Baskarapandian
Special Government Pleader

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O R D E R

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

Admittedly, election is over. Thus, we are of the view that inasmuch as election is already over, the only way open to the petitioner is to invoke Section 90 of the Tamil Nadu Co-operative Societies Act, 1983. Therefore, we do not find any merit in this Writ Petition. However, considering the facts and circumstances of the case, the petitioner is given two weeks time from the date of receipt of a copy of this order to file appropriate application before the Registrar of Co-operative Societies. As and when such application is filed, the Registrar concerned shall consider and dispose of the same within a period of three months thereafter.

2.The Writ Petition is disposed of with the above observation. No costs. Consequently, WMP(MD)Nos.16598 and 16599 of 2018 are closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-II)

To

- 1.The Commissioner,
Tamil Nadu Cooperative Societies Election Commission,
273, Scheme Road,
Subbarayan Nagar,
Teynampet, Chennai.
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Sembon Nerunchi Village,
Aanaikulam Post,
Virudhunagar District.



+1cc to M/S.K.Saburkhan, Advocate SR.No. 81242
+1cc to Special Government Pleader, SR.No. 81662

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W.P (MD) No.18759 of 2018
29.08.2018

mj

JM/RP/SAR 2/03.09.2018/3P/7C