



WEB COPY

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.18798 of 2018

S.Anto Majila Kalaiyarasi

.. Petitioner

Vs.

1.The State Election Commissioner,
Tamilnadu State Cooperative Society,
Election Commission,
Chennai - 600 018.

2.The Joint Registrar,
Tamil Nadu Cooperative Societies,
Perumalpuram,
Palayamkottai,
Tirunelveli District.

3.The Election Officer,
F.T.N.44, Kooduthalai Women's Fisheries
Cooperative Society,
Assistant Director of Fisheries,
Extension and Training,
Radhapuram,
Tirunelveli District.

4.The District Collector,
Tirunelveli,
Tirunelveli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 2 to 4 to forward the complaint / objection dated 03.04.2018 18.04.2018 and 14.08.2018 relating to the election of members and office bearers of the F.T.N.44 Kooduthalai Womens Fisheries Co-Operative Society to the Honble Committee to decide the validity of the election held on 02.04.2018 in accordance with law.

For Petitioner
For Respondents

: Mr.M.Joseph Thatheus Jerome
: Mr.K.Chellapandian
Additional Advocate General
Assisted by Mr.A.K.Baskarapandian
Special Government Pleader



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 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.

Sd/

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar(CS-II)

To

1.The State Election Commissioner,
Tamilnadu State Cooperative Society,
Election Commission,
Chennai - 600 018.

2.The Joint Registrar,
Tamil Nadu Cooperative Societies,
Perumalpuram,
Palayamkottai,
Tirunelveli District.

3.The Election Officer,
F.T.N.44, Kooduthalai Women's Fisheries
Cooperative Society,
Assitant Director of Fisheries,
Extension and Training,
Radhapuram,
Tirunelveli District.

4.The District Collector,
Tirunelveli,
Tirunelveli District.

+1cc to Mr.M.JOSEPH THATHAESU JEROME, Advocate, SR.No.81026

+1cc to M/s.Special Government Pleader,SR.No. 81660

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