



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2018

CORAM:

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

W.P.[MD].No.18954 of 2018

and

W.M.P.(MD) Nos.16777 and 16778 of 2018

M.Subramaniyan

: Petitioner

Vs.

- 1.The Election Commissioner,
Tamil Nadu State Co-operative Societies,
273, Anna salai,
Teynampet,
Chennai.
 - 2.The Deputy Registrar Cooperative Societies cum
District Election Officer,
Cheranmahadevi,
Tirunelveli District.
 - 3.The Special Officer,
0-1998 Vijayapathi Primary Agriculture Co-op Loan Society,
Kudankulam, Tirunelveli District.
 - 4.Election Officer,
0-1998 Vijayapathi Primary Agriculture Co-op Loan Society,
Kudankulam,
Tirunelveli District.
- : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned rejection of application of the petitioner by the fourth respondent bearing no. nil dated 27/08/2018 and consequently direct the respondents to permit the petitioner to contest the election to be held for 0-1998 Vijayapathi Primary Agriculture Co-op Loan Society, Kudankulam, Tirunelveli District scheduled to be conducted on 01/09/2018 or any other date.

For Petitioner : Mr.S.Arunraj
For Respondents : Mr.K.Chellapandian, AAG, assisted by
Mr.A.K.Baskara Pandian, SGP.,



O R D E R

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

Admittedly, the election is over. Thus, we are of the view that inasmuch as the 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. 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 raise dispute before the Registrar of Co-operative Societies. As and when such dispute is raised, the Registrar concerned shall consider and dispose of the same within a period of three months thereafter. Needless to say that if any such application for interim order is filed, the same can also be considered by the authority concerned as per law.

2. The Writ Petition is disposed of with the above observation. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-III)

To

- 1.The Election Commissioner,
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Kudankulam,
Tirunelveli District.

+1cc to Special Government Pleader, SR.No. 81770

+1cc to M/S.M.Shema Daniel, Advocate SR.No. 81390

ORDER MADE IN
W.P.[MD].No.18954 of 2018
31.08.2018

mm/nb

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