



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.18927 of 2018

and

W.M.P.(MD) Nos.16764 and 16866 of 2018

R.Selvan

[petitioner name has been amended vide order
dated 31.08.2018] : Petitioner

Vs.

- 1.The Election Commission,
Tamil Nadu State Co-operative Societies,
represented by its Secretary,
No.273, Kamadenu Super Market,
First Floor, Anna salai, Chennai 600 010.
 - 2.The Registrar of Cooperative Societies
Chetpat, Chennai 600 010.
 - 3.The Joint Registrar of Co-operative Societies,
Kanyakumari Region,
Nagercoil,
Kanyakumari District.
 - 4.The Election Officer / Returning Officer,
Peruvalam Primary Agricultural Credit
Cooperative Society 903,
Peruvilai,
Kanyakumari District.
- : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to refer and forward the petitioner's complaint dated 27.8.2018 to the third respondent regarding rejection of the petitioners nomination paper for the election of members of the Board of Peruvalam Primary Agricultural Credit Co-operative Society 903, Peruvilai, Nagercoil -3, Kanyakumari District to the committee constituted for Kanyakumari District as per the common order dated 03.05.2018 of this Court in W.P.No.7526 of 2018, etc., batch.

For Petitioner

: Mr.K.N.Thampi

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

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(Writs)

/True Copy/

Sub Assistant Registrar(CS-II)

To

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Peruvalam Primary Agricultural Credit
Cooperative Society 903,
Peruvilai,
Kanyakumari District.



+1cc to M/S.K.N.Thampi, Advocate SR.No. 81380
+1cc to Special Government Pleader, SR.No. 81768

WEB COPY

ORDER MADE IN
W.P. [MD] .No.18927 of 2018
31.08.2018

mm/nb
JM/RP/SAR 2/04.09.2018/3P/7C