



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.11.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MR.JUSTICE **N.SATHISH KUMAR**

W.P. [MD] .No.18951 of 2018

and

W.M.P. (MD) Nos.16771, 16772, 19783 and 20068 of 2018

N.B.Nagendran

: Petitioner

Vs.

1. The Election Commissioner,
Tamil Nadu State Co-operative Societies
Election Commission,
No.273, Anna Salai,
Teynampettai,
Chennai.
2. The Assistant Director/
District Election Officer,
Thanjavur District,
Thanjavur.
3. The Managing Director,
Z322, Thirubuvanam Silk Handloom Weavers
Co-operative Society Ltd.,
Thirubuvanam,
Thiruvidaimarudur Taluk,
Thanjavur District.
4. The Election Officer,
Z322, Thirubuvanam Silk Handloom Weavers
Co-operative Society Ltd.,
Thirubuvanam,
Thiruvidaimarudur Taluk,
Thanjavur District.
- 5.S.Nagarajan
- 6.G.Thiyagarajan
- 7.L.S.Jothi
- 8.G.K.Baskar
- 9.M.Sekar
- 10.R.Rajan
- 11.J.V.Ambikavathi
- 12.S.Prema

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the fourth respondent dated 28.08.2018 and quash the same as illegal and



consequently, direct the official respondents to conduct election of Board of Directors to the third respondent Society afresh in a transparent and democratic manner as per the procedures contemplated under the Tamil Nadu Co-operative Societies Act and Rules.

For Petitioner : Mr.R.R.Kannan
For Respondents 1 to 4 : Mr.A.K.Baskarapandian,
Special Government Pleader
For Respondents
6 to 8,10 & 11 : Mr.K.Govindarajan

O R D E R

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

This Writ Petition has been filed on the premise that the petitioner, though received the nomination, was not allowed to file it. We are afraid of the fact that this being the disputed question of fact, the same cannot be gone into in exercise of power conferred under Article 226 of the Constitution of India. In such view of the matter, the Writ Petition stands dismissed giving liberty to the petitioner to invoke Section 90 of the Tamil Nadu Co-operative Societies Act, 1983. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Election Commissioner,
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4. The Election Officer,
Z322, Thirubuvanam Silk Handloom Weavers
Co-operative Society Ltd.,
Thirubuvanam,



Thiruvidaimarudur Taluk,
Thanjavur District.

+1cc to Mr.R.R.Kannan, Advocate Sr.No.93949

+1cc to Mr.K.Govindarajan, Advocate Sr.No.93928

+1cc to Spl.Government Pleader Sr.No.94236

SML

VB/PM/SAR2/27.11.2018/3P/8C

Order made in
W.P. [MD] .No.18951 of 2018
Dated: 01.11.2018