



WEB COPY

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].Nos.19030 to 19033 of 2018
and
W.M.P.(MD) Nos.16869 to 16876 of 2018

T.Sankarasubramanian

: Petitioner in W.P.[MD].No.19030 of 2018

P.Kadaldurai

: Petitioner in W.P.[MD].No.19031 of 2018

K.Shanmugaiah

: Petitioner in W.P.[MD].No.19032 of 2018

G.Guruvammal

: Petitioner in W.P.[MD].No.19032 of 2018

Vs.

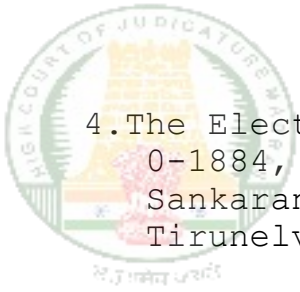
1.The Commissioner,
Election Commissioner for
Tamil Nadu Co-operative Society,
No.273, Anna salai,
Thenampet,
Chennai.

2.The Registrar of Cooperative Society,
cum State Election Officer,
N.V.Natrajan Maaligai,
170, Periyar EVR High Road,
Kilpauk, Chennai.

3.The District Election Officer /
Deputy Registrar of Cooperative Society,
Perumalpuram,
Palayamkottai,
Tirunelveli District.

: Respondents 1 to 3 in all W.Ps.,

4.The Election Officer,
0-929, Sankarankovil Co-operative Marketing Society Ltd.,
Sankarankovil,
Tirunelveli District.



4.The Election Officer,
0-1884, Sankarankovil Co-operative Milk Producers Society Ltd.,
Sankarankovil,
Tirunelveli District.

WEB COPY

: Respondent 4 in W.P.[MD].Nos.19031 to 19033 of 2018

5.The Secretary,
0.929, Sankarankovil Co-operative Marketing Society Ltd.,
Sankarankovil,
Tirunelveli District.

: Respondent 5 in W.P.[MD].No.19030 of 2018

5.The Secretary,
0-1884, Sankarankovil Co-operative Milk Producers Society Ltd.,
Sankarankovil,
Tirunelveli District.

: Respondent 5 in W.P.[MD].Nos.19031,19032 & 19033 of 2018

PRAYER in W.P.(MD) No.19030 of 2018: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Eligible selected candidature list dated 27.08.2018 passed by the fourth Respondent for 0.929 Sankarankovil Co-operative Marketing Society Ltd., Sankarankovil, Tirunelveli District - fifth Respondent herein and quash the same and consequently direct the 1 to 4 Respondents to include the name of the Petitioner in the eligible candidature list passed by the fourth Respondent dated 27.08.2018 for the ongoing election in the fifth respondent society and to conduct the same in a fair and transparent manner and in accordance with law.

PRAYER in W.P.(MD) No.19031 of 2018: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Eligible selected candidature list dated 27.08.2018 passed by the fourth Respondent for 0.1884 Sankarankovil Co-operative Milk Producers Society, Sankarankovil, Tirunelveli District - fifth Respondent herein and quash the same and consequently direct the 1 to 4 Respondents to include the name of the Petitioner in the eligible candidature list passed by the fourth Respondent dated 27.08.2018 for the ongoing election in the fifth respondent society and to conduct the same in a fair and transparent manner and in accordance with law.

PRAYER in W.P.(MD) No.19032 of 2018: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Eligible selected candidature list dated 27.08.2018 passed by the fourth Respondent for 0.1884 Sankarankovil Co-operative Milk Producers Society, Sankarankovil, Tirunelveli District - fifth Respondent



herein and quash the same and consequently direct the 1 to 4 Respondents to include the name of the Petitioner in the eligible candidature list passed by the fourth Respondent dated 27.08.2018 for the ongoing election in the fifth respondent society and to conduct the same in a fair and transparent manner and in accordance with law.

WEB COPY

PRAYER in W.P.(MD) No.19033 of 2018: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the Eligible selected candidature list dated 27.08.2018 passed by the fourth Respondent for 0.1884 Sankarankovil Cooperative Milk Producers Society, Sankarankovil, Tirunelveli District - fifth Respondent herein and quash the same and consequently direct the 1 to 4 Respondents to include the name of the Petitioner in the eligible candidature list passed by the fourth Respondent dated 27.08.2018 for the ongoing election in the fifth respondent society and to conduct the same in a fair and transparent manner and in accordance with law.

For Petitioners

in all W.Ps., : Mr.N.Snakar Ganesh

For Respondents

in all W.Ps., : Mr.K.Chellapandian, AAG, assisted by
Mr.A.K.Baskara Pandian, SGP.,

C O M M O N 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 petitioners are to invoke Section 90 of the Tamil Nadu Co-operative Societies Act, 1983. Therefore, we do not find any merit in these Writ Petitions. Considering the facts and circumstances of the case, the petitioners are 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. These Writ Petitions are disposed of with the above observation. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/

Assistant Registrar (Writs)

/True copy/



To

1. The Commissioner,
Election Commissioner for
Tamil Nadu Co-operative Society,
No.273, Anna salai,
Thenampet,
Chennai.
2. The Registrar of Cooperative Society,
cum State Election Officer,
N.V.Natrajan Maaligai,
170, Periyar EVR High Road,
Kilpauk, Chennai.
3. The District Election Officer /
Deputy Registrar of Cooperative Society,
Perumalpuram,
Palayamkottai,
Tirunelveli District.
4. The Election Officer,
0-929, Sankarankovil Co-operative Marketing Society Ltd.,
Sankarankovil,
Tirunelveli District.
5. The Secretary,
0.929, Sankarankovil Co-operative Marketing Society Ltd.,
Sankarankovil, Tirunelveli District.
6. The Election Officer,
0-1884, Sankarankovil Co-operative Milk Producers Society Ltd.,
Sankarankovil,
Tirunelveli District.
7. The Secretary,
0-1884, Sankarankovil Co-operative Milk Producers Society Ltd.,
Sankarankovil,
Tirunelveli District.

+1cc to M/s. Special Government Pleader, SR.No. 81767, 81773

+4cc to Mr. N. SANKAR GANESH, Advocate, SR.No. 81576, 81577, 81578,
81579

W.P.[MD].Nos.19030 to 19033 of 2018
31.08.2018

MM/NB

<https://heservices.ecourts.gov.in/hceservices/>
RR/RP/SAR-3/04.09.2018/4P-13C