



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

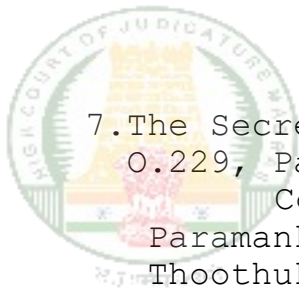
W.P.[MD].No.19083 of 2018

P.Sureshan

: Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Co-operation, Food and Consumer Protection Department,
Fort St.George, Chennai - 600 009.
- 2.The Election Commission,
Tamil Nadu State Co-operative Societies,
Rep. by its Secretary,
No.273, Kamadenu Super Market,
I Floor, Anna Salai,
Chennai - 600 018.
- 3.The Registrar of Co-operative Societies,
170, EVR Periyar Highways,
Kilpauk,
Chennai - 600 010.
- 4.The District Election Officer /
The Deputy Registrar of Co-operative Societies,
Tiruchendur,
Thoothukudi District.
- 5.The Election Officer /
Co-operative Sub Registrar (Retired),
O.229, Paramankurichi Primary Agriculture
Co-operative Credit Society,
Paramankurichi Post,
Thoothukudi District.
- 6.The Election Officer /
Co-operative Sub Registrar,
O.229, Paramankurichi Primary Agriculture
Co-operative Credit Society,
Paramankurichi Post,
Thoothukudi District.



7.The Secretary,
O.229, Paramankurichi Primary Agriculture
Co-operative Credit Society,
Paramankurichi Post,
Thoothukudi District.

: Respondents

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PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 2, 4 & 5 to withhold the functions of the Board of the 7th respondent till the decision of the Committee which was constituted in view of the common order dated 03.08.2018 passed by this Court.

For Petitioner : Mr.V.Rajiv Rufus

For Respondents : Mr.K.Chellapandian,
Additional Advocate General
Assisted by
Mr.A.K.Baskarapandian,
Special Government Pleader

ORDER

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

Heard the learned Counsel appearing on either side.

2. The prayer, as such, sought for by the petitioner cannot be granted. Admittedly, the election to the Board is over. Thus, the only remedy that is now open to the petitioner is to approach the third respondent, ie., Registrar of Co-operative Societies, under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983, in view of the order of the Hon'ble Division Bench of this Court in W.P.No.7526 of 2018 etc., batch, dated 03.08.2018.

3. In such a view of the matter, we are not inclined to entertain this writ petition and accordingly, the same is dismissed. However, liberty is given to the petitioner to exhaust the remedy as indicated above. If the third respondent, ie., Registrar of Co-operative Societies, receives any complaint / representation from the petitioner in this regard, the same shall be disposed of within a period of three months from the date of receipt of such complaint / representation. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/



To

1.The Principal Secretary to Government,
State of Tamil Nadu,
Co-operation, Food and Consumer Protection Department,
Fort St.George, Chennai - 600 009.

2.The Secretary,
Election Commission,
Tamil Nadu State Co-operative Societies,
No.273, Kamadenu Super Market,
I Floor, Anna Salai,
Chennai - 600 018.

3.The Registrar of Co-operative Societies,
170, EVR Periyar Highways,
Kilpauk,
Chennai - 600 010.

4.The District Election Officer /
The Deputy Registrar of Co-operative Societies,
Tiruchendur,
Thoothukudi District.

5.The Election Officer /
Co-operative Sub Registrar (Retired),
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Co-operative Credit Society,
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6.The Election Officer /
Co-operative Sub Registrar,
O.229, Paramankurichi Primary Agriculture
Co-operative Credit Society,
Paramankurichi Post,
Thoothukudi District.

7.The Secretary,
O.229, Paramankurichi Primary Agriculture
Co-operative Credit Society,
Paramankurichi Post,
Thoothukudi District.

+1CC TO MR.V.RAJIV RUFUS, ADVOCATE IN S.R.NO.81696.
+1CC TO SPECIAL GOVERNMENT PLEADER IN S.R.NO.82197.

GK

DS PM SAR-2 05.10.2018 3P/10C