



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.19092 and 19093 of 2018
and W.M.P.(MD) Nos.16942 to 16944 of 2018 in W.P.(MD) No.19092 of 2018
and W.M.P.(MD) Nos.16945 to 16947 of 2018 in W.P.(MD) No.19093 of 2018

S.Kennedy ... Petitioner in W.P.(MD) No.19092 of 2018

K.Sivakumar ... Petitioner in W.P.(MD) No.19093 of 2018

-vs-

- 1.The State Election Commissioner,
Office of the Tamilnadu Cooperative Societies Election Commission,
Annasalai,
Teynampet,
Chennai.
- 2.The Deputy Registrar cum District Election Officer,
Tamilnadu Cooperative Societies,
Pudukkottai.
- 3.The Election Officer,
MM 334 Tamilnadu Electricity Distributions
Employees Cooperative Credit Society,
Pudukkottai. ... Respondents in both Petitions

COMMON PRAYER : Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified mandamus, calling for the records pertaining to the impugned candidates list dated 28.08.2018 published by the 3rd respondent society in its office Notice Board and quash the same as illegal and consequentially directing the Respondents herein to conduct free, fair and transparent election in accordance with law.

For Petitioner in both : Mr.S.Vinayak
petitions2
For Respondents in : Mr.A.K.Baskara Pandian
both petitions Special Government Pleader

COMMON ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

These writ petitions have been filed seeking to quash the
<https://hcservices.ecourts.gov.in/hcservices/>
impugned candidates list dated 28.08.2018, published by the 3rd
respondent society in its office Notice Board and to direct the



Respondents herein to conduct free, fair and transparent election in accordance with law.

2. Heard the learned counsel appearing for the petitioners and the learned Special Government Pleader appearing for the respondents.

3. In as much as the petitioners' nominations have already been rejected, we are of the view that the matter has to be agitated before the Registrar of Co-operative Societies, under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983.

4. In such view of the matter, the Writ Petition is disposed of giving liberty to the petitioners to file appropriate applications before the concerned Registrar of Co-operative Societies. As and when such applications are filed, the Registrar shall consider and dispose of the same within a period of three months from the date of receipt of applications from the petitioners. The petitioners are also at liberty to raise all the contentions raised before this Court and also seek for interim orders before the Registrar of Co-operative Societies. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS IV)

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To
1. The State Election Commissioner,
Office of the Tamilnadu Cooperative Societies Election Commission,
Annasalai, Teynampet, Chennai.
 2. The Deputy Registrar cum District Election Officer,
Tamilnadu Cooperative Societies,
Pudukkottai.
 3. The Election Officer,
MM 334 Tamilnadu Electricity Distributions
Employees Cooperative Credit Society,
Pudukkottai.

1CC TO MR. S. VINAYAK, ADVOCATE SR 81739
1CC TO THE SPL GOVT PLEADER SR 81774

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