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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.[MD].No.19198 of 2018
and
W.M.P.(MD).No.17026 of 2018

P.Gururaj : Petitioner

Vs.

- 1.The Election Commission,
Tamil Nadu State Co-operative Societies,
Rep by its Secretary,
No.273, Kamadenu Super Market,
First Floor, Anna Salai,
Chennai 600 018.
- 2.The Registrar of Co-operative Societies,
Chetpet, Chennai 600 010.
- 3.The Joint Registrar of Co-operative Societies,
Tirunelveli Region, Tirunelveli.
- 4.The Election Officer/Returning Officer,
0.1884 Sankaranarayanarkovil Milk Producers Co-operative Society,
Limited, Sankarankovil, Tirunelveli District.
- 5.The Hon'ble Chairperson,
Special Committee for Co-operative Election Disputes,
South Zone, Tirunelveli District. : Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus by extending the benefit of the order passed by the Principal Bench of this Court in W.P.No.7526 of 2018, dated 03.08.2018, so as to hold an enquiry in connection with the non-acceptance of the petitioner's nomination paper submitted on 25.08.2018 for the office bearers election of 0.1884 Sankaranarayanarkovil Milk Producers Co-operative Society, Limited, Sankarankovil, Tirunelveli District.



Additional Advocate General
Assisted by Mr.A.K.Baskarapandian
Special Government Pleader

O R D E R

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

The relief sought for by the petitioner in this Writ Petition cannot be granted. What the petitioner wants is the consideration of the complaint by the Hon'ble Committee, constituted pursuant to the order passed by the Principal Bench of this Court in W.P.No.7526 of 2018, etc., batch., dated 03.08.2018, wherein this Court has already taken the view that the subsequent applications cannot be considered by the Committee, since in the aforesaid order, only pending applications were directed to be considered by the Hon'ble Committee.

2. In such view of the matter, the only way open to the petitioner is to invoke Section 90 of the Tamil Nadu Co-operative Societies Act, 1983. 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.

3. The Writ Petition is disposed of with the above observation. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS I)

NB
To

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- 4.The Election Officer/Returning Officer,
0.1884 Sankaranarayanankovil Milk Producers Co-operative
Society Limited, Sankarankovil, Tirunelveli District.



5. The Hon'ble Chairperson,
Special Committee for Co-operative Election Disputes,
South Zone, Tirunelveli District.

1CC TO MR. R. ANAND, ADVOCATE SR 82625
1CC TO THE SPL GOVT PLEADER SR 83109

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ORDER MADE IN
W.P. [MD] .No.19198 of 2018
05.09.2018