



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2018

CORAM:

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

W.P.[MD].No.19285 of 2018

and

W.M.P.(MD).Nos.17120 and 17121 of 2018

T.Arumugam

: 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 Registrar of Co-operative Societies,
Chetpet, Chennai 600 010.
- 3.The District Election Officer/Deputy Registrar [Housing],
Tuticorin.
- 4.The Special Officer,
0357 Vallanadu Primary Agricultural [Housing Loan Society],
Agricultural [Housing Loan Society],
Tuticorin.
- 5.S.Anantharaman,
The Election Officer,
Arumugamengamalam Primary Agriculture,
Co-operative Society, Tuticorin.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the I.O of declaration passed by the fifth respondent dated 07.08.2018, quash the same and consequently direct the respondents to conduct free and fair election for the 0357 Vallanadu Primary Agricultural [Housing Loan Society], Agricultural [Housing Loan Society], Tuticorin.

For petitioner
For respondents

: Mr.Niranjan S.Kumar
: Mr.K.Chellapandian
Additional Advocate General`



O R D E R

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

This Writ Petition has been filed challenging the declaration made by the fifth respondent in accepting three nominations, as against the rejection of others, of which the nomination of the petitioner is one. As against the acceptance of nomination as well as the rejection, the remedy open to the petitioner is to invoke Section 90 of the Tamil Nadu Co-operative Societies, 1983. It appears that there are 11 post of Board of Directors. Therefore, without prejudice to the contentions raised, the respondents are directed to conduct fresh election to the remaining 8 post of Board of Directors within a period of eight weeks from the date of receipt of a copy of this order, after obtaining necessary permission from the Election Commission. Insofar as the petition to be filed under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983 is concerned, the same will have to be disposed of within a period of three months from the date of receipt of a copy of this order.

2. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-I)

To

- 1.The Principal Secretary to Government,
Co-operation, Food and Consumer Protection Department,
Fort.St.George, Chennai 600 009.
 - 2.The Registrar of Co-operative Societies,
Chetpet, Chennai 600 010.
 - 3.The District Election Officer/Deputy Registrar [Housing],
Tuticorin.
 - 4.The Special Officer,
0357 Vallanadu Primary Agricultural [Housing Loan Society],
Agricultural [Housing Loan Society], Tuticorin.
- 1 CC TO Mr.Niranjan S.Kumar , ADVOCATE IN SR No. 82611.
 - NB
 - DS SV SAR-2 22 10 2018 2P 6C

ORDER MADE IN
W.P. [MD] .No.19285 of 2018
06.09.2018