



WEB COPY

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].Nos.19301 to 19303 of 2018

and

W.M.P. (MD).Nos.17139 to 17144 of 2018

P.Kalimuthu	: Petitioner in W.P.(MD).No.19301 of 2018
P.Sakthivel	: Petitioner in W.P.(MD).No.19302 of 2018
P.Palanichamy	: Petitioner in W.P.(MD).No.19303 of 2018

Vs.

1.The Deputy Registrar/District Election Officer,
Co-operative Societies,
Palani Division, Palani,
Dindigul.

2.The Election Officer,
D.D.575 Javvathupatty Thodakka
Velanmai Kootturavu Kadan Sangam,
Javvathupatty, Oddanchatram Taluk,
Dindigul District.

3.The Secretary,
D.D.575 Javvathupatty Thodakka
Velanmai Kootturavu Kadan Sangam,
Javvathupatty, Oddanchatram Taluk,
Dindigul District. : Respondents in all Writ Petitions

PRAYER: Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the election result published by the second respondent for the society - D.D.575 Javvathupatty Thodakka Velanmai Kootturavu Kadan Sangam, Javvathupatty, dated 03.09.2018 in annexure number 5, form number 22 of Tamil Nadu Co-operative Rules and quash the same and direct the respondents to conduct a fresh election by following the Election Rules.

For petitioners : Mr.S.R.Sureshkumar(in all WPs)

For respondents : Mr.K.Chellapandian(in all WPs)

Additional Advocate General

Assisted by Mr.N.Shanmugaselvam

Additional Government Pleader

**O R D E R****[Order of the Court was made by M.M.SUNDRESH, J.]**

The grievance of the petitioners is that only few candidates were allowed to participate in the counting place and therefore, malpractices would have happened. We are of the view that the said issue cannot be a ground, which cannot be considered by us in this writ proceedings. Thus, the only remedy open to the petitioners is to invoke Section 90 of the Tamil Nadu Co-operative Societies Act, 1983.

2. In such view of the matter, the Writ Petitions are disposed of and 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. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1.The Deputy Registrar/District Election Officer,
Co-operative Societies,
Palani Division, Palani,
Dindigul.

2.The Election Officer,
D.D.575 Javvathupatty Thodakka
Velanmai Kootturavu Kadan Sangam,
Javvathupatty, Oddanchatram Taluk,
Dindigul District.

+3CCs to Mr.S.R.Suresh Kumar, Advocate in sr.no.82581.
+1CC to Special Government Pleader in sr.no.83370.

NB

DS RSK SAR-4 11.10.2018 2P/7C

ORDER MADE IN
W.P.[MD].Nos.19301 to 19303 of 2018
06.09.2018