



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.19353 of 2018

and

W.M.P. (MD) .Nos.17190 and 17191 of 2018

R.Soundararaj

: Petitioner

Vs.

1.The Election Commissioner,
Tamil Nadu Co-operative Societies,
Kamathenu Super Market,
No.273, Scheme Road, Supparayan Nagar,
Thenampet, Chennai 18.

2.The District Election Officer/Deputy Registrar
of Co-operative Societies,
Virudhunagar District Co-operative Societies Elections,
Aruppukottai Range, Aruppukottai,
Virudhunagar District.

3.The Election Officer,
R2 Puliyampatti Co-operative Warehouse Limited,
Aruppukkottai, Virudhunagar District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned final contestant list and selection list published by the third respondent dated 28.08.2018 and quash the same as illegal and arbitrary and consequently directing the second respondent to conduct fresh Director's Election in fair manner by way of reconsidering the nomination of the petitioner and by considering the representation dated 30.08.2018.

For petitioner	: Mr.R.Manickam
For respondents1&2	: Mr.K.Chellapandian Additional Advocate General Assisted by Mr.N.Shanmugaselvam Additional Government Pleader
For Respondent No.3	: Mr.I.Mareeskumar

**O R D E R***********

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

It is a case of rejection of nomination, as against the acceptance of others. This issue can only be raised in the election petition. Thus, the only remedy open to the petitioner is to invoke Section 90 of the Tamil Nadu Co-operative Societies Act, 1983.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS-IV)

To

1. The Election Commissioner,
Tamil Nadu Co-operative Societies,
Kamathenu Super Market,
No.273, Scheme Road, Supparayan Nagar,
Thenampet, Chennai 18.
2. The District Election Officer/Deputy Registrar
of Co-operative Societies,
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Aruppukottai Range, Aruppukottai,
Virudhunagar District.
3. The Election Officer,
R2 Puliampatti Co-operative Warehouse Limited,
Aruppukottai, Virudhunagar District.

+1 CC To MR.R.MANICKAM, Advocate SR. NO.83319
+1 CC To MR.E.MAREESKUMAR, Advocate SR. NO. 83021
+1 CC TO The Special Government Pleader SR.NO.83372

ORDER MADE IN

W.P. [MD] .No.19353 of 2018

06.09.2018

NB

TR/RP/SAR-IV(01.10.2018)2P 7C