



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2018

CORAM:

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

W.P.[MD].No.19747 of 2018
and
W.M.P.(MD).No.17537 of 2018

1.T.L.Thulasiraman
2.K.Sankar
3.N.S.Haridoss
4.N.Sumathi
5.K.K.Kamala

: Petitioners

Vs.

1. The Tamil Nadu State Co-operative Societies,
Election Commissioner,
No.273, Kamadhenu Supermarket, First Floor,
Anna Salai, Chennai 600 018.

2. The Assistant Director of Handloom and Textiles,
Kumbakonam Zone, District Election Officer,
Thanjavur District, Kumbakonam.

3. The Election Officer,
Z.322, Thirubuvanam Silk Handloom Weavers
Co-operative Society, Thirubuvanam,
Thanjavur District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Declaration, declaring the entire process of election to the third respondent society in Na.Ka.No.2960/2018/A-4 as illegal, null and void; and consequentially direct the respondents to conduct fresh election to the third respondent society by accepting all the nominations in accordance with the Tamil Nadu Co-operative Societies Act, 1983, Tamil Nadu Co-operative Societies Rules, 1988 and instruction in the Co-operative Election Manual and conduct the election in a free and fair manner within a reasonable time.

For petitioners: Mr.V.Sasikumar

<https://hcservices.ecourts.gov.in/hcservices/>

For respondents: Mr.A.K.Baskarapandian

Special Government Pleader

**ORDER**

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

Admittedly, the election is over. Thus, we are of the view that inasmuch as the election is already over, the only way open to the petitioners is to invoke Section 90 of the Tamil Nadu Co-operative Societies Act, 1983. Therefore, we do not find any merit in the Writ Petition. Considering the facts and circumstances of the case, 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.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar (CS-IV)

To

1. The Tamil Nadu State Co-operative Societies,
Election Commissioner,
No.273, Kamadhenu Supermarket, First Floor,
Anna Salai, Chennai 600 018.
2. The Assistant Director of Handloom and Textiles,
Kumbakonam Zone, District Election Officer,
Thanjavur District, Kumbakonam.
3. The Election Officer,
Z.322, Thirubuvanam Silk Handloom Weavers
Co-operative Society, Thirubuvanam,
Thanjavur District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER, IN SR NO.84312

NB

BU/PM/SAR-IV : 04.10.2018 : 2P/5C