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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.[MD].No.19887 of 2018

and

W.M.P.(MD).Nos.17674 and 17675 of 2018

M.Irulan : Petitioner

Vs.

- 1.The Commissioner,
Tamil Nadu State Co-operative Societies Election Commission,
Chennai 18.
- 2.The Registrar of Co-operative Societies,
Office of the Registrar of Co-operative Societies,
Kilpauk, Chennai.
- 3.The Joint Registrar of Co-operative Societies,
Ramanathapuram, Ramanathapuram District.
- 4.The Deputy Registrar of Co-operative Societies,
Ramanathapuram, Ramanathapuram District.
- 5.The Returning Officer,
N.N.98, Pamboor Primary Agricultural Co-operative Credit Society,
Paramakudi Taluk, Ramanathapuram District.
- 6.The Secretary,
N.N.98, Pamboor Primary Agricultural Co-operative Credit Society,
Paramakudi Taluk, Ramanathapuram District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the entire records relating to the impugned proceedings of the fifth respondent dated 18.08.2018, regarding the declaration of elected 11 Directors in the sixth respondent society as well as the consequential impugned proceedings dated 24.08.2018 regarding the declaration of President and Vice President of the sixth respondent society and to quash the same as illegal and consequently, to direct the respondents to conduct election in the sixth respondent society in fair and proper manner by receiving nomination afresh and by duly announcing election date.



For petitioner
For respondents

: Mr.S.Jeyakarthik
: Mr.A.K.Baskarapandian
Special Government Pleader

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O R D E R

[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 petitioner 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 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.

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

Sd/
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar(CS-I)

To

- 1.The Commissioner,
Tamil Nadu State Co-operative Societies Election Commission,
Chennai 18.09.2018
- 2.The Registrar of Co-operative Societies,
Office of the Registrar of Co-operative Societies,
Kilpauk, Chennai.
- 3.The Joint Registrar of Co-operative Societies,
Ramanathapuram, Ramanathapuram District.
- 4.The Deputy Registrar of Co-operative Societies,
Ramanathapuram, Ramanathapuram District.

+1cc to Mr.M.S.JEYAKARTHIK, Advocate, SR.No. 84575
+1cc to M/s.Special Government Pleader, SR.No. 85340

W.P.[MD].No.19887 of 2018
17.09.2018

NB