



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2018

CORAM:

WEB COPY

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

W.P.(MD) No.19943 of 2018
and
WMP(MD) Nos.17738 & 17739 of 2018

S.Palanichamy

... Petitioner

vs.

- 1.The State Election Commission,
Tamilnadu Cooperative Societies Election Commission,
No.273, Kamadhenu Super Market 1st floor,
Anna Salai, Chennai - 600 018.
 - 2.The Deputy Registrar of Cooperative Societies - cum -
District Election Officer,
Tenkasi Circle,
Tirunelveli District.
 - 3.The Election Officer,
O.1976, Kidarakulam Primary Agricultural
Cooperative Credit Society,
V.K.Pudur Taluk,
Tirunelveli District.
- ... Respondents

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 order issued by the 3rd respondent in his proceedings dated 14.09.2018 and quash the same and consequently forbearing the respondents from in any way conducting the elections to the post of President and Vice President of O.1976 Kidarakulam Primary Agricultural Cooperative Credit Society, Tirunelveli District on the basis of the petitioner's representation dated 14.09.2018.

For Petitioner : Mr.M.Siddharthan
For R1 & R3 : Mr.A.K.Baskarapandian
Special Government Pleader
For R2 : Mrs.P.Kalaiyarasi

**ORDER**

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

The petitioner, though one of the elected Board of Directors is going to challenge the impugned order of the third respondent dated 14.09.2018 on certain factual allegations, we are not inclined to entertain this writ petition, as the election process has already been started and therefore, in the event of the petitioner is being aggrieved by the final decision or the improper way in which election is conducted, his remedy lies elsewhere. Hence, this writ petition is dismissed, giving liberty to the petitioner to invoke section 90 of the Tamil Nadu Co-operative Societies Act, 1983 and file appropriate application before the concerned Registrar of Co-operative Societies. As and when application is filed, the Registrar shall consider and dispose of the same within a period of three months from the date of receipt of application from the petitioner. No costs. Consequently, WMP(MD)Nos.17738 and 17739 of 2018 are closed.

Sd/-
ASSISTANT REGISTRAR (CS III)

TRUE COPY

SUB ASSISTANT REGISTRAR (CS I)

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To

1.The State Election Commission,
Tamilnadu Cooperative Societies Election Commission,
No.273, Kamadhenu Super Market 1st floor,
Anna Salai, Chennai - 600 018.

2.The Election Officer,
O.1976, Kidarakulam Primary Agricultural
Cooperative Credit Society,
V.K.Pudur Taluk, Tirunelveli District.

1CC TO MR. M. SIDDHARTHAN, ADVOCATE SR 84669
1CC TO THE SPL GOVT PLEADER SR 85199

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W.P.(MD) No.19943 of 2018

18.09.2018