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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

AND

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)No.20758 of 2018
and W.M.P.Nos.18513 and 18514 of 2018

S.Beemaraj

... Petitioner

vs.

1. The Deputy Registrar of Cooperative Societies,
cum District Election Officer,
Kovilpatti Region,
Thoothukudi District.

2. The Voter list finalization Officer,
Cum Sub Registrar Kovilpatti Cooperative Society,
O.857 Pudur Agricultural Producers Cooperative
Marketing Society,
Pudur
Kovilpatti
Thoothukudi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus to direct the respondents to include the petitioner in the eligible voter list of O.857 Pudur Agricultural Producers Cooperative Marketing Society Limited, within the time that may be stipulated by this Court.

For Petitioner : Mr.M.Ajmal Khan

Senior Counsel for
M/s.Ajmal Associates

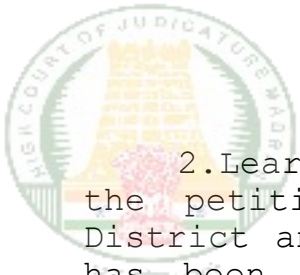
For Respondents : Mr.A.K.Baskarapandian

Special Government Pleader

O R D E R

(Order of the Court was made by T.RAJA, J.)

This Writ Petition has been filed by Mr.S.Beemaraj, for a Writ of Mandamus to direct the respondents to include his name in the eligible voter list of O.857 Pudur Agricultural Producers Cooperative Marketing Society Limited, Pudur, Kovilpatti, Thoothukudi District.



2. Learned senior counsel for the petitioner would submit that the petitioner is a resident of Sankaralingapuram, Thoothukudi District and also a member of the second respondent Society, which has been formed to arrange and undertake of purchase storing, processing and marketing of the agricultural produce of its members. As every member of the second respondent Society is eligible to cast his vote, the petitioner was expecting the second respondent Election Officer to release the final voters list. Accordingly, on 25.09.2018, when the final voters list was released, to his disappointment, his name was not found therein and therefore, on the very same day, the petitioner has submitted an application to the second respondent to include his name, which has not been considered so far. Since the final voters list is going to be released on 03.10.2018, a direction be issued to consider the inclusion in the final voters list, as he is not having any due to the second respondent Society, it is pleaded. A copy of the receipt issued in favour of the petitioner showing that the petitioner is also paying membership fees has been furnished.

3. Learned Special Government Pleader, taking notice for the respondents, submitted that the petitioner's application has been received by the second respondent and after considering whether the petitioner is a defaulter of any loan, the application of the petitioner to include in the voters list would be considered before 03.10.2018, as per Rule 38 of the Tamil Nadu Cooperative Society Rules

4. Recording the said submission made by the learned Special Government Pleader that the petitioner's application would be considered before 03.10.2018, this writ petition stands disposed of. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar()

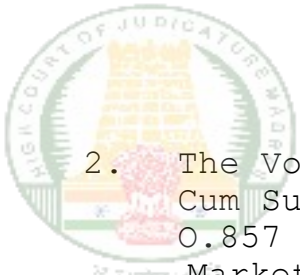
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Sub Assistant Registrar(CS-III)

RR

To

1. The Deputy Registrar of Cooperative Societies,
cum District Election Officer,
Kovilpatti Region,
Thoothukudi District.



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2. The Voter list finalization Officer,
Cum Sub Registrar Kovilpatti Cooperative Society,
O.857 Pudur Agricultural Producers Cooperative
Marketing Society,
Pudur
Kovilpatti
Thoothukudi District.

+1cc to M/S Ajmal Associates, SR No.88103

**W.P (MD) No.20758 of 2018
and
W.M.P (MD) Nos.18513 and 18514 of 2018**

NM/SKN/SAR 3/01.10.18/3P/4C