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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA
and

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P. (MD) No.20943 of 2018

and

W.M.P. (MD) Nos.18716 and 18717 of 2018

P.Jeyaraman

... Petitioner

Vs.

1.State of Tamil Nadu,
Rep. by its Principal Secretary,
Department of Animal Husbandry, Dairying and Fisheries,
Chennai - 9.

2.The Election Commissioner,
State Co-operative Election Commission,
Chennai.

3.The State Election Officer/Director of Fisheries,
O/o. Director of Fisheries,
Chennai - 6.

4.The District Election Officer / Assistant Director of Fisheries,
O/o. the Assistant Director of Fisheries,
No.58, 2nd Main Road, Vanamamalai Nagar,
By-Pass Road,
Madurai - 16.

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.344/2018/Ku.The.5, dated 15.09.2018 on the file of the respondent No.2 and quash the same as illegal and consequently forbear the respondent No.2 from conducting the federation election until the results are declared for the election held for A-2407, Madurai South Taluk Fishermen Co-operative Society on 03.04.2018 within the time period stipulated by this Court.

For Petitioner : Mr.M.Mehboob Fazil
for M/s.T.Lajapathi Roy

For Respondents : Mr.K.Chellapandian,
1,3 and 4 Additional Advocate General



assisted by Mr.A.K.Bhaskara Pandian,
Special Government Pleader

For Respondent 2

: Mr.K.Palanisamy

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ORDER

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

This Writ Petition is filed seeking issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.344/2018/Ku.The.5, dated 15.09.2018 on the file of the second respondent and quash the same as illegal and consequently forbear the second respondent from conducting the federation election until the results are declared for the election held for A-2407, Madurai South Taluk Fishermen Co-operative Society on 03.04.2018.

2.Heard Mr.M.Mehboob Fazil, learned Counsel appearing for the petitioner, Mr.K.Chellapandian, learned Additional Advocate General assisted by Mr.A.K.Bhaskarapandian, learned Special Government Pleader appearing for the respondents 1, 3 and 4 and Mr.K.Palanisamy, learned Counsel appearing for the second respondent.

3.The election notification was issued on 15.09.2018 but the Writ Petition has been filed only two days before the last date for filing nomination, namely, 06.10.2018. Since the election process had already commenced and in view of the huge delay, we are unable to entertain the Writ Petition and the same is dismissed. No costs. Consequently, the Writ Miscellaneous Petitions are closed.

Sd/

Assistant Registrar(Crl Side)

/True copy/

Sub Assistant Registrar(CS-IV)



To

1.The Principal Secretary,
Department of Animal Husbandry, Dairying and Fisheries,
Chennai - 9.

2.The Election Commissioner,
State Co-operative Election Commission,
Chennai.

3.The State Election Officer/Director of Fisheries,
O/o. Director of Fisheries,
Chennai - 6.

4.The District Election Officer / Assistant Director of Fisheries,
O/o. the Assistant Director of Fisheries,
No.58, 2nd Main Road, Vanamamalai Nagar,
By-Pass Road,
Madurai - 16.

+1cc to Mr.T.LAJAPATHI ROY, Advocate, SR.No.89403

+1cc to M/s.Special Government Pleader,SR.No. 89192

W.P. (MD) No.20943 of 2018

and

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05.10.2018

SRM

KK/SV/SAR-4/12.11.2018/3P-7C