



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2018

CORAM:

WEB COPY

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

W.P.[MD].No.21191 of 2018 and
W.M.P.(MD).Nos.19037 and 19038 of 2018

S.A.Manikandaraja : Petitioner

Vs.

1. The Chief Election Commissioner,
Tamil Nadu State Co-operative Societies,
Election Commission, Chennai 600 018.
2. The Deputy Registrar of Co-operative Societies,
cum Zonal Election Officer,
District Collector Officer, Virudhunagar.
3. The Joint Registrar of Co-operative Societies,
Office of the Joint Registrar of Co-operative Societies,
West Rada Street, Srivilliputhur.
4. Rajesh Pandiyan,
Election Officer,
A1244, Agricultural Co-operative Society Ltd.,
Mudangiyar Salai, Rajapalayam,
Virudhunagar District.

: Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records and proceedings of the fourth respondent in relating to the rejection of petitioner's candidature in view of final candidates list dated 08.10.2018 pertaining to selection of election nominees in A1244, Agricultural Co-operative Society Ltd., Mudangiyar Salai, Rajapalayam, Virudhunagar District and quash the same as illegal and consequently direct the respondents to include the nomination of the petitioner in the final candidates list and permit the petitioner to contest in the election which is scheduled on 12.10.2018.

For petitioner	:	Ms.P.Yasmin Begum
For respondents 1to3	:	Mr.K.Chellapandian
		Additional Advocate General
		Assisted by Mr.A.K.Baskarapandian
		Special Government Pleader
For Respondent No.4	:	Mr.Mareeshkumar

**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 Chief Election Commissioner,
Tamil Nadu State Co-operative Societies,
Election Commission, Chennai 600 018.
2. The Deputy Registrar of Co-operative Societies,
cum Zonal Election Officer,
District Collector Officer, Virudhunagar.
3. The Joint Registrar of Co-operative Societies,
Office of the Joint Registrar of Co-operative Societies,
West Rada Street, Srivilliputhur.

+ 1 CC TO Mr.E.MAREES KUMAR, ADVOCATE IN SR No. 90015

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 90173

NB

TE/PM/SAR-1 : 30/10/2018 : P/C

ORDER MADE IN
W.P. [MD] .No.21191 of 2018
10.10.2018