



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.21199 of 2018
and
W.M.P. (MD) .No.19047 of 2018

R.Saravanan

: Petitioner

Vs.

1. The Returning Officer,
Southern Railway Employees Co-operative Credit Society Limited,
"Rail Co-op Mansion", Dindigul Road,
Post Box No.9, Tiruchirappalli 1.
2. The Managing Director,
Southern Railway Employees Co-operative Credit Society Limited,
"Rail Co-op Mansion", Dindigul Road,
Post Box No.9, Tiruchirappalli 1.
3. C.Arul Murugan,
Designation: Bellowman,
Office of Senior Section Engineer [Works],
Thanjavur Junction, Southern Railway,
Thanjavur.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the original records pertaining to the first respondent's communication vide letter No.CCS/Admn.Election/2018, dated 25.09.2018 served on 29.09.2018 at 02.00 AM, invalidating the petitioner's application for nomination to stand as a candidate for election as a member of Representative General Body [RGB] and quash the same and further direct the respondents to conduct election to elect RGB in Region No.2, and Constituency No.8.

For petitioner : Mr.R.Narayanan

For respondents 1&2 : Mr.M.Ajmal Khan
Senior Counsel

For M/s.Ajmal Associates

For Respondent No.3 : Mr.B.Saravanan

**O R D E R*************[Order of the Court was made by M.M.SUNDRESH, J.]****WEB COPY**

Inasmuch as the election is already over, the question of rejection of nomination of the petitioner cannot be permitted to be adjudicated upon in this Writ Petition, exercising power under Article 226 of the Constitution of India. Therefore, the only remedy open to the petitioner is to approach the Tribunal under Section 84(2)(c) of the Multi-State Co-operative Societies Act 2002. Accordingly, the Writ Petition stands disposed of giving liberty to the petitioner to approach the Tribunal under Section 84(2)(c) of the Multi-State Co-operative Societies Act 2002. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Returning Officer,
Southern Railway Employees Co-operative Credit Society Limited,
"Rail Co-op Mansion", Dindigul Road,
Post Box No.9, Tiruchirappalli 1.
2. The Managing Director,
Southern Railway Employees Co-operative Credit Society Limited,
"Rail Co-op Mansion", Dindigul Road,
Post Box No.9, Tiruchirappalli 1.

- + 1 CC TO M/s.AJMAL ASSOCIATES, ADVOCATE IN SR No. 90074
- + 1 CC TO Mr.R.NARAYANAN, ADVOCATE IN SR No. 89714
- + 1 CC TO Mr.B.SARAVANAN, ADVOCATE IN SR No. 89917

NB

TE/SKN/SAR-1 : 30/10/2018 : 3P/6C

ORDER MADE IN
W.P.[MD].No.21199 of 2018
10.10.2018