



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 10.10.2018

CORAM:

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

W.P.(MD) No.21243 of 2018  
and W.M.P.(MD) No.19083 of 2018

V.Murugan

... Petitioner

-Vs-

1.The Election Commissioner of State Co-operative Societies,  
Election Commission Office,  
273, Anna Salai, Thenampettai,  
Chennai - 600 018.

2.The Joint Registrar,  
Regional Office of the Co-operative Societies,  
Sir Meignanam Street,  
Palayamkottai, Tirunelveli District.

3.The Election Officer/Special Officer,  
O 1923 Nanguneri Radhapuram Taluks,  
Agricultural Producers Co-operative Marketing Society,  
Valliyur, Radhapuram Taluk,  
Tirunelveli District.

4.The Inspector of Police,  
Valliyur Police Station,  
Valliyur, Radhapuram Taluk,  
Tirunelveli District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to accept the petitioner's nomination form for the election of O 1923 Nanguneri Radhapuram Taluks Agricultural Producers Co-operative Marketing Society, Valliyur, Radhapuram Taluk, Tirunelveli District and conduct fresh election after following the due process of law based on the petitioner's representation dated 06.10.2018 within a period stipulated by this Hon'ble Court.

For Petitioner : Mr.Anand C. Rajesh

For 1st Respondent : Mr.M.S.Palaniswamy

For Respondents 2 & 4 : Mr.K.Chellapandian  
Additional Advocate General, Assisted by  
Mr. A.K.Baskara Pandian  
Special Government Pleader

**ORDER****(Order of the Court was made by M.M.SUNDRESH, J.)**

The petitioner, who is a member of the Co-operative Society has come forward with this writ petition seeking direction to the respondents 1 to 3 to accept the petitioner's nomination form for the election of O 1923 Nanguneri Radhapuram Taluks Agricultural Producers Co-operative Marketing Society, Valliyur, Radhapuram Taluk, Tirunelveli District and to conduct fresh election after following due process of law based on the petitioner's representation dated 06.10.2018 within a time frame.

2. Heard the learned counsel appearing for the petitioner, the learned counsel for the first respondent and the learned Additional Advocate General appearing for the respondents 2 and 4.

3. Unfortunately, the stage has crossed. Of the 20 nominations received, 8 were rejected and 12 were accepted. Out of the 12, one withdrew the nomination and 11 were elected. Therefore, looking from any angle, this Writ Petition is not maintainable. If the petitioner has grievance, it has to be agitated before the Registrar of Co-operative Societies, under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983.

4. In such view of the matter, the Writ Petition is dismissed with liberty to the petitioner to file appropriate application before the concerned Registrar of Co-operative Societies. As and when such 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. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (W)

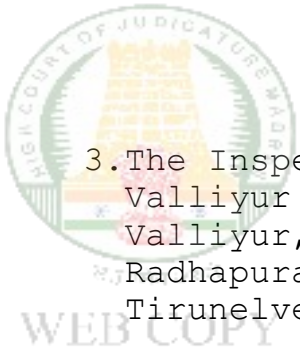
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Sub Assistant Registrar (CS-IV)

To

1. The Election Commissioner of State Co-operative Societies,  
Election Commission Office,  
273, Anna Salai, Thenampettai,  
Chennai - 600 018.

2. The Joint Registrar,  
Regional Office of the Co-operative Societies,  
Sir Meignanam Street,  
Parayankottai,  
Tirunelveli District.



3.The Inspector of Police,  
Valliyur Police Station,  
Valliyur,  
Radhapuram Taluk,  
Tirunelveli District.

4.The Election Officer/Special Officer,  
O 1923 Nanguneri Radhapuram Taluks,  
Agricultural Producers Co-operative Marketing Society,  
Valliyur, Radhapuram Taluk,  
Tirunelveli District.

+1CC to Mr.Anand C. Rajesh, Advocate, SR.No.89795

+1CC to the Special Government Pleader SR.No. 90172

W.P. (MD) No.21243 of 2018  
and W.M.P. (MD) No.19083 of 2018  
10.10.2018

SJ

ES/RP/SAR 4/12.11.2018/3P/7C