

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2019

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.33786 of 2019  
and  
W.M.P.No.34288 of 2019

K.Kannan

.. Petitioner

-vs-

- 1.The Secretary,  
Department of Co-operative Societies,  
Govt. of Tamil Nadu,  
Fort St. George, Chennai-600 009.
- 2.Deputy Registrar,  
Housing Co-operative Society,  
Chengalpattu-603 001.
- 3.The Election Officer,  
Karthikeyapuram Co-operative Building  
Society (Regn.No. JJ345),  
No.1/700A, II Cross Street,  
Karthikeyapuram, Chennai-600 091.
- 4.Ranjith Kumar,  
S/o.Balu
- 5.Kumar,  
S/o.Vijayarangan
- 6.Dhanasekaran,  
S/o.Muniappan

.. Respondents

Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to consider the petitioner's representation dated 23.11.2019 consequently direct the 3<sup>rd</sup> respondent to issue new voter list for the Karthikeyapuram Co-operative Building Society (Regn. No. JJ 345), No.1/700A, II Cross Street, Karthikeyapuram, Chennai-91 to conduct free and fair election.

For Petitioner : Mr.S.N.Subramani

For RR1 to 3 : Mr.L.P.Shanmugasundaram,  
Special Govt. Pleader (Co-op.)

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ORDER

Heard Mr.S.N.Subramani, learned counsel for the petitioner and Mr.L.P.Shanmugasundaram, learned Special Government Pleader accepting notice on behalf of respondents 1 to 3.

2.With consent on either side, this writ petition is taken up for final disposal at the admission stage itself.

3.The petitioner seeks for a direction upon the respondents to consider his representation dated 23.11.2019, and issue a new voter list.

4.This prayer cannot be acceded to because as per the election schedule/ notification, dated 09.11.2019, the last date for submission of objections to a voter list is on 20.11.2019. Thereafter, the Election Officer has to consider the objections and finalize the voter list by 22.11.2019 between 10:00 a.m. and 04:00 p.m. and publish the final voter list on 22.11.2019 at 05:00 p.m. This process has been followed and the voter list has been published and 11 Board of Directors have been elected, vide proceedings dated 29.11.2019. At this juncture, no direction can be issued to publish a fresh voter list because, the petitioner has not given the objections within the time limit prescribed under the notification. However, this will not prevent the petitioner from invoking other remedies available to him under the law challenging the election of candidates.

5.With the above observations, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-  
Assistant Registrar(CCC)  
//True Copy//

Sub Assistant Registrar

(abr)

To

1.The Secretary,  
Department of Co-operative Societies,  
Govt. of Tamil Nadu,  
Fort St. George, Chennai-600 009.

2.The Deputy Registrar,  
Housing Co-operative Society,  
Chengalpattu-603 001.

3.The Election Officer,  
Karthikeyapuram Co-operative Building  
Society (Regn.No. JJ345),  
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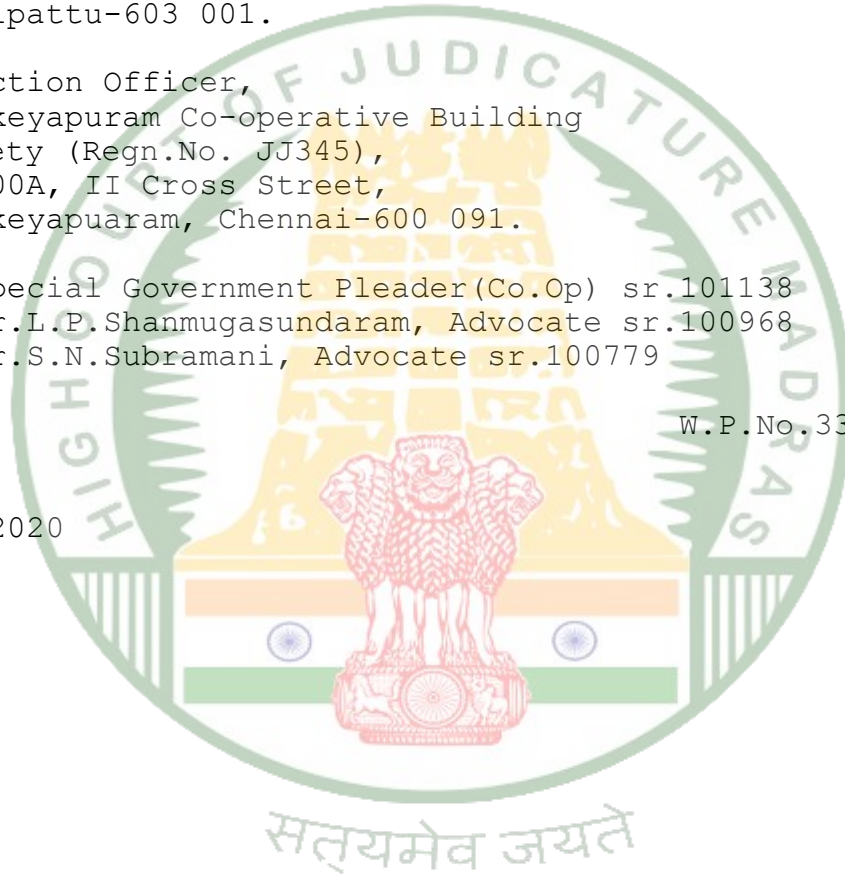
+1cc to Special Government Pleader(Co.Op) sr.101138

+1cc to Mr.L.P.Shanmugasundaram, Advocate sr.100968

+1cc to Mr.S.N.Subramani, Advocate sr.100779

W.P.No.33786 of 2019

bs(co)  
nr 21/01/2020



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