

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 33883 of 2019

and

W.M.P. Nos. 34419 & 34420 of 2019

1. V. Rajendran
 2. G. Elumalai Raja
 3. S. Venkatesan
 4. Suresh
- ... Petitioners

-vs-

1. The State Election Commissioner,
Cooperative Election,
Kamadhenu Super Market Building,
No. 273, Scheme Road, Subburaya Nagar,
Teynampet, Anna Salai,
Chennai - 18.
 2. The District Election Officer/Deputy Registrar (Housing),
No. 18, Varadanar Street, Vedhachalam Nagar,
Chengalpet - 603 001.
 3. The Election Officer,
J.J. 345, Karthikeyapuram Cooperative
Building Society Ltd.,
Madipakkam, Chennai - 600 091.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First Respondent to conduct enquiry and cancel the election held on 27.11.2019 consequently to conduct fresh election for the J.J.345, Karthikeyapuram Cooperative Building Society Ltd., Madipakkam, Chennai - 600 091.

For Petitioner : Mr. C. Prakasam

For R1 : Mr. M.S. Palanisamy

For R2 & R3 : Mr. L.P. Shanmuga Sundaram
Special Government Pleader (Co-op)

O R D E R

When it was pointed out by the Learned Additional Government Pleader (Co-operatives) appearing on behalf of the First to Third Respondents that the Petitioner has an effective remedy before the Arbitrator under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983 for seeking the

relief claimed, Learned Counsel for the Petitioner sought permission of this Court to withdraw the Writ Petition with liberty to resort to the same and has also made an endorsement to that effect, which is recorded.

2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, connected Miscellaneous Petitions are also closed. No costs.

Sd/-
Assistant Registrar (CO)

//True copy//

Sub Assistant Registrar

arb/maya

To

1. The State Election Commissioner,
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Building Society Ltd.,
Madipakkam, Chennai - 600 091.

+1cc to Mr.C. Prakasam, Advocate SR.No.101340

+1cc to Government Pleader SR.No.101621

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BS (CO)
GMY (14/02/2020)