



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2019

CORAM:

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**THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
AND
THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

W.P (MD) NO.11939 OF 2019

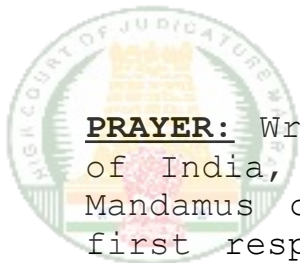
and

W.M.P (MD) No.9026 of 2019

T.Sengaimaran
Member No.4561, N.N 498, Thiruppuvanam Milk Producers
Cooperative Society,
Sethupathi Nagar,
Thiruppuvanam,
Sivagangai District. :Petitioner

.vs.

- 1.The Chairman,
Honourable Committee on Cooperative Societies,
Election Cases,
South Zone,
Madurai.
- 2.The Election Officer,
Tamil Nadu State Cooperative Societies,
Election Commission,
273, Anna Salai,
Teynampet,
Chennai.
- 3.The Election Officer/Deputy Registrar (Milk),
Manamadurai,
Sivagangai District.
- 4.The Election Officer/Deputy Registrar (Milk),
NN498, Thiruppuvanam Milk Producers
Cooperative Society,
Thiruppuvanam,
Sivagangai District.
- 5.K.K.Balasubramanian
- 6.The Registrar of Cooperative Societies,
NV Natarajan Maaligai,
170, Periyar EVR High Road,
Kilpauk, Chennai. : Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the order of the first respondent dated 09.04.2019 in PROC.NO.001/SJC/H/2018(127) and quash the same and consequently to direct the fourth respondent to delete the name of the fifth respondent from the list of eligible voters of the N.N.498, Thiruppuvanam Milk Producers Cooperative Society.

For Petitioner	:Mr.J.Anandkumar
For Respondents 1,3 and 6	:Mr.K.Chellapandian, Addl.Advocate General assisted by Mr.VR.Shanmuganathan, Special Govt.Pleader
For Respondent-2	:Mr.G.Rajendran
For Respondent-5	:Mr.C.Vakeeswaran

O R D E R

[Order of the Court was made by **K.RAVICHANDRABAABU.,J.**]

This Writ Petition is filed challenging the order of the first respondent Committee in ordering counting of the votes and to declare the results.

2.Though this Writ Petition is filed challenging such order, it is stated today before this Court that after declaration of the results, the Writ Petitioner himself was declared elected as one of the Directors. Consequently, he was also elected as President of the said Society. Therefore, We find nothing survives to be adjudicated upon further in this Writ Petition. Even otherwise, We are taking a consistent view that election disputes have to be dealt with by the Cooperative Tribunal under Section 90 of the Tamil Nadu Cooperative Societies Act and therefore, on that score also, this Writ Petition cannot be entertained any further.

3.Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar (AD-I)

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- To
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 - 4.The Election Officer
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Cooperative Society,
Thiruppuvanam,
Sivagangai District.
 - 5.The Registrar of Cooperative Societies,
NV Natarajan Maaligai,
170, Periyar EVR High Road,
Kilpauk, Chennai.

+1cc to M/S M.J.ANANDKUMAR, ADVOCATE, Sr.No.73099
+1cc to M/S M.C.VEKEESWARAN, ADVOCATE, Sr.No.72790
1CC TO M/S. SPECIAL GOVERNMENT PLEADER, SR. NO. 73196

ORDER MADE IN
W.P (MD) NO.11939 OF 2019
and
W.M.P (MD) No.9026 of 2019

02.07.2019

BUC (12.07.2019) 3P 9C