



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2019

CORAM:

WEB COPY

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

W.P(MD)NO.13778 OF 2019

and

W.M.P(MD)Nos.10322 and 10323 of 2019

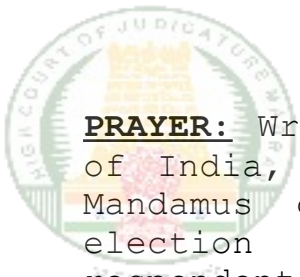
A.Gurusamy Pandian

:Petitioner

.vs.

1. The Secretary(in charge),
Tamil Nadu State Cooperative Society,
Election Commission,
273, Anna Salai,
Chennai -18.
2. The Registrar,
State Cooperative Society,
Chennai.
3. The Election Commission,
Tamil Nadu Cooperative Society,
Anna Salai,
Chennai.
4. The District Election Officer,
Tamil Nadu State Cooperative Election Commission,
Tenkasi, Tirunelveli District.
5. The Electoral Officer,
TS 30 Suberamaniapuram PACP,
Vellanaikottai,
Sivagiri Taluk,
Tirunelveli District.
6. The Secretary,
TS 30 Suberamaniapuram Primary Agricultural
Credit Society, Vellanaikottai,
Sivagiri Taluk,
Tirunelveli District.

: 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 pertaining to the impugned election notification dated 7.6.2019 issued by the fourth respondent for conducting election at T.S.30, Suberamaniapuram Primary Agriculture Credit Society, Vellanaikottai, Sivagiri Taluk, Tirunelveli District on 24.6.2019 and quash the same as illegal and further to direct the respondents to release the eligible voter list and conduct free and fair election.

For Petitioner	:Mr.P.T.Thiraviam
For Respondents 1,2,4 and 5	:Mr.VR.Shanmuganathan Special Govt.Pleader
For Respondent-3	:Mr.G.Rajendran

O R D E R

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

The Petitioner is aggrieved against the election notification dated 7.6.2019 issued by the fourth respondent for conducting election in the subject-matter society on 24.6.2019.

2.Heard the learned counsel appearing for the Petitioner and the learned Special Government Pleader appearing for the respondents 1,2,4 and 5 and the learned counsel appearing for the third respondent.

3.The grievance of the Petitioner is that the fifth respondent has illegally admitted several members in the voters list and there are about 100 dead persons' names are also found in the voters list and therefore without rectifying the voters list, election cannot be permitted to take place.

4.It is seen from the schedule of the election that the voters list was published on 11.6.2019 and the objections raised by the Petitioner was considered by the Election Officer on 12.6.2019 by passing an order stating that the electoral list contains the names of eligible members as voters. Even thereafter, if the Petitioner is having any grievance in the conduct of election, remedy is always available to the Petitioner to challenge the election, after declaration of result, as contemplated under Section 90 of the Tamil Nadu Co-operative Societies Act. Therefore once the election process has commenced and the polling is going to take place on 24.06.2019, We are not inclined to entertain the present Writ Petition.



5. Granting liberty to the Petitioner to raise all objections by way of election dispute under Section 90 of the Tamil Nadu Co-operative Societies Act, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

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Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

vsn

To

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273, Anna Salai, Chennai -18.
2. The Registrar,
State Cooperative Society, Chennai.
3. The Election Commission,
Tamil Nadu Cooperative Society,
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6. The Secretary,
TS 30 Suberamaniapuram Primary Agricultural
Credit Society, Vellanaikottai,
Sivagiri Taluk, Tirunelveli District.

- + 1 CC TO Mr.P.T.Thiraviam, ADVOCATE IN SR No.70183
- + 1 CC TO Mr.G.Rajendran, ADVOCATE IN SR No.69817
- + 1 CC to The Special Government Pleader SR.No.70027

**ORDER MADE IN
W.P(MD) NO.13778 OF 2019**

**and
W.M.P(MD) Nos.10322 and 10323 of 2019**

19.06.2019