



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE K. RAVICHANDRABAABU

and

THE HONOURABLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD) No. 13814 of 2019

and

W.M.P. (MD) No 10331 of 2019

R. Nagendran

: Petitioner

Vs.

1. The Commissioner,
Tamilnadu Co-operative Societies
Election Commission,
273, Scheme Road,
Subbarayan Nagar,
Teynampet, Chennai.
2. The Joint Registrar of Co-operative Societies,
Pudukkottai, Pudukkottai District.
3. The Deputy Registrar of Co-operative Societies,
District Election Officer,
Aranthangi Town and Tauluk,
Pudukkottai District.
4. MM 377, Vennavalkudi Primary Agricultural
Co-operative Credit Society Limited,
Rep. by its President,
Vennavalkudi,
Alangudi Taluk, Pudukkottai District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents to publish fresh Voters List for the election process for the Board of Members to MM 377, Vennavalkudi Primary Agricultural Co-operative Credit Society Limited, Vennavalkudi, Alangudi Taluk, Pudukkottai District, scheduled to be held on 21.06.2019 and conduct fresh election to the aforesaid society on some other date.

For Petitioner : Mr. K. Baalsundharam
For R-1 : Mr. G. Rajendran
For R-2 & R-3 : Mr. V. R. Shanmuganathan
Special Government Pleader

ORDER

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

This writ petition is filed for Mandamus directing the respondents to publish fresh Voters List for the election process for the Board of Members to MM 377, Vennavalkudi Primary Agricultural Co-operative Credit Society Limited, Vennavalkudi,



Alangudi Taluk, Pudukkottai District, scheduled to be held on 21.06.2019 and conduct fresh election to the said society on some other date.

2. Heard the learned counsel appearing for the petitioner; the learned counsel appearing for the first respondent and the learned Special Government Pleader appearing for the respondents 2 and 3.

3. It is seen that the Committee, constituted earlier by the order of this Court, has passed an order on 05.01.2019 setting aside the earlier election process with a further direction to the Election Commission to issue necessary direction to the District Election Officer and the Society to conduct the election in a free and fair manner by appointing a Government servant as election officer. Based on such direction issued, the fresh election process has begun by fixing the polling date as on 21.06.2019. At this stage, the present writ petition is filed by the petitioner complaining that the voters list published already contains several defects and the name of a defaulter in repayment of loan is also included as an eligible voter. We are not inclined to entertain the present writ petition at this stage when the election process has already commenced and the polling is scheduled to take place tomorrow (21.06.2019). Needless to state that when the petitioner is having remedy under Section 90 of the Tamil Nadu Co-operative Societies Act, to challenge the election process and the declaration of the results of the same, it is not as if that the petitioner is remedy-less, so as to approach this Court at this stage. Therefore, without expressing any view on the merits of the claim made by the petitioner, this writ petition is disposed of, however, by granting liberty to the petitioner to raise all objections by way of election dispute under Section 90 of the said Act, if at all if he has any grievance against the election process and the results of the same, after publication of such result. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Commissioner,
Tamilnadu Co-operative Societies
Election Commission,
273, Scheme Road, Subbarayan Nagar,
Teynampet, Chennai.

2.The Joint Registrar of Co-operative Societies,
Pudukkottai, Pudukkottai District.

3.The Deputy Registrar of Co-operative Societies,
District Election Officer, Aranthangi Town and Tauluk,
Pudukkottai District.

4.The President,
MM 377, Vennavalkudi Primary Agricultural
Co-operative Credit Society Limited,
Vennavalkudi,
Alangudi Taluk, Pudukkottai District.

+1 CC to Mr.G.RAJENDRAN, Advocate (SR-70155[F] dated 20/06/2019)
+1 CC to SPL GP (SR-70717[F] dated 21/06/2019)

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and

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20.06.2019

RJ2

MK (02.07.2019) 3P 7C