



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2019

CORAM:

WEB COPY

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

W.P (MD) NO.14643 OF 2019

and

W.M.P (MD) Nos.11093 and 11094 of 2019

Ananthan

:Petitioner

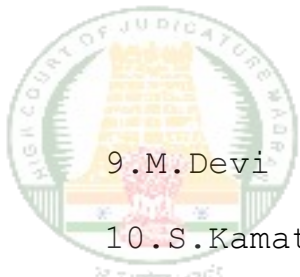
.vs.

- 1.The Commissioner,
Tamil Nadu State Cooperative Election Commission,
No.273, Anna Salai,
Teynampet,
Chennai - 600 018.
- 2.The District Collector,
Pudukkottai District,
Pudukkottai.
- 3.The Joint Registrar,
Primary Agricultural Cooperative Credit Society,
Pudukkottai,
Pudukkottai District.
- 4.The District Election Office,
Primary Agricultural Cooperative Credit Society,
Pudukkottai,
Pudukkottai District.
- 5.The Election Officer,
M.M.386, Thirumayam Primary Agricultural Cooperative
Credit Society Limited,
Thirumayam,
Pudukkottai District.
- 6.M.M.386, Thirumayam Primary Agricultural
Cooperative Credit Society Limited,
Thirumayam,
Pudukkottai District.

7. P. Saravanan

<https://hcservices.courts.gov.in/hcservices/>

8.C.Selvarani



9.M.Devi

10.S.Kamatchi

11.M.Palani

12.P.Palanivelu

13.Karu. Anbalagan

14.S.Ganesan

15.C.Poovan

16.R.Seenivasan

17.S.Sivakumar

: Respondents

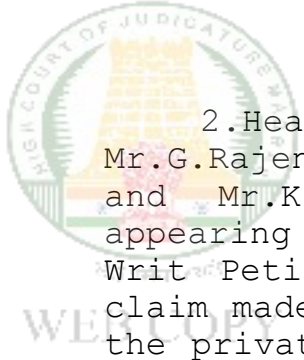
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned declaration of election result dated 22.6.2019 passed by the fifth respondent pertaining to the election of Board of Directors/respondents 7 to 17 for the sixth respondent Society and to quash the same as arbitrary, illegal and without following the rules of the Tamil Nadu Cooperative Societies Rules, 1988 and consequently to direct the respondents 1 to 5 to conduct re-election to the Board of Directors of the sixth respondent society namely M.M.386, Thirumayam Primary Agricultural Cooperative Credit society .

For Petitioner	:Mr.T.Veerakumar
For Respondent-1	:Mr.G.Rajendran
For Respondents 2 to 6	:Mr.K.Chellapandian Addl.Advocate General assisted by Mr.VR.Shanmuganathan Special Govt.Pleader.
For Respondents 7 to 17	:Notice dispensed with

O R D E R

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

This Writ Petition is filed challenging the declaration of election result, dated 22.6.2019 pertaining to the election of the Board of Directors of M.M.386, Thirumayam Primary Agricultural Co-operative Credit society.



2. Heard the learned counsel for the Petitioner and Mr.G.Rajendran, learned counsel appearing for the first respondent and Mr.K.Chellapandian, learned Additional Advocate General, appearing for the respondents 2 to 6. Since We are disposing this Writ Petition without expressing any view on the merits of the claim made by the Petitioner and passing any adverse order against the private respondents, notice to those respondents are dispensed with.

3.The challenge made in this Writ Petition is against the declaration of the election result made in pursuant to the election conducted to the above-said Co-operative Society on 22.6.2019. Needless to state that the aggrieved party is having a mechanism under Section 90 of the Tamil Nadu Co-operative Societies Act to challenge the election, after declaration of the result. Without exhausting such remedy, the Petitioner has approached this Court and filed the present Writ Petition, which in our considered view, is not maintainable.

4.Accordingly, this Writ Petition is disposed of, without expressing any view on the merits of the claim made by the Petitioner, with liberty to the Petitioner to approach the authority under Section 90 of the Tamil Nadu Co-operative Societies Act by raising all the contentions. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(AE)

// True Copy //

Sub Assistant Registrar(CS)

vsn

To

- 1.The Commissioner,
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No.273, Anna Salai,
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Pudukkottai.
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Pudukkottai,
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4.The District Election Office,
Primary Agricultural Cooperative Credit Society,
Pudukkottai,
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5.The Election Officer,
M.M.386, Thirumayam Primary Agricultural Cooperative
Credit Society Limited,
Thirumayam,
Pudukkottai District.

6.M.M.386,Thirumayam Primary Agricultural
Cooperative Credit Society Limited,
Thirumayam,
Pudukkottai District.

+1CC TO MR.G.RAJENDRAN, Advocate Sr. No.72616
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 73230

ORDER MADE IN
W.P(MD)NO.14643 OF 2019
and
W.M.P(MD)Nos.11093 and
11094 of 2019
01.07.2019

GKG(CO)
TR (15.07.2019) 4P 9C