



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 15.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
and

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.1180 of 2019

and

W.M.P.(MD)Nos.2856, 988 and 989 of 2019

R.Senthil Barathi

: Petitioner

Vs.

1.The Registrar of Co-operative Societies,
No.170, E.V.R. Periyar High Road,
Keelpauk, Chennai 10.

2.The Election Commissioner of,
State Co-operative Societies,
Election Commission Office,
273, Annasali, Thenampettai,
Chennai 18.

3.The District Election Officer/Deputy Registrar,
Co-operative Societies,
Tirunelveli District, Tirunelveli.

4.The Managing Director/Joint Registrar,
Tirunelveli District, Central Co-operative Bank,
Vannarpettai, Tirunelveli.

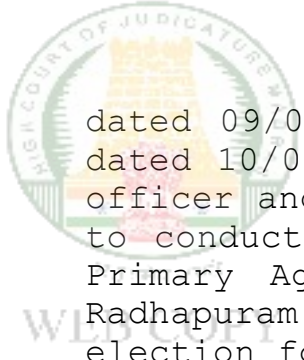
5.The Joint Registrar of Co-operative Societies,
Tirunelveli Region, Tirunelveli.

6.The Deputy Registrar of Co-operative Societies,
Cheranmahadevi Circle,
Cheranmahadevi Post,
Tirunelveli District.

7.Special Officer,
O.70, Pazhavor Primary Agriculture
Co-operative Credit Society,
Pazhavor - 627 121,
Radhapuram Taluk,
Tirunelveli District.

: Respondents

<https://hcmr.judgeservices.gov.in> PRAYER : This Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorari Mandamus to call for the records pertaining to the election notification



dated 09/01/2019 followed by a rectified election notification dated 10/01/2019 issued by the 3rd respondent / District election officer and quash the same and consequently direct the respondents to conduct the election of board of directors of O.70 Pazhavor Primary Agriculture Co-Operative Credit Society at pazhavor, Radhapuram Taluk, Tirunelveli District before conducting the election for Tirunelveli District Central Co-operative Bank.

For Petitioner : Mr.S.R.Anbarasu

For R-2 : Mr.M.S.Palanisamy
assisted by Mr.G.Rajendran

For R1 & R3 to R6: Mr.K.Chellapandian
Additional Advocate General
assisted by
Mr.R.Balaramesh
Special Government Pleader

O R D E R

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

The petitioner seeks to challenge the election notification, dated 09.01.2019 followed by a rectified election notification dated 10.01.2019 issued by the third respondent/Election Officer. Consequently, the petitioner seeks for a direction to the respondents to conduct the election for Board of Directors to Pazhavor Primary Agriculture Co-Operative Credit Society at pazhavor, Radhapuram Taluk, Tirunelveli District before conducting the election to Tirunelveli District Central Co-operative Bank.

2.Heard both sides.

3.According to the petitioner, the election to the subject matter Society has to be conducted before conducting the election to the District Central Co-operative Bank, Tirunelveli District. In effect, the challenge made in this writ petition is against the election notification.

4.We have already taken a view that once the election process has commenced by issuing the election notification, the writ petition cannot be entertained, as the aggrieved party is always at liberty to work out his remedy against the process of election or the declaration of the results, by filing an application under Section 90 of the Tamil Nadu Co-operative Societies Act, after the declaration of the results, as <https://hservices.ecourt3.gov.in/hservices/> under the said Provision itself. Therefore, granting such liberty, this writ petition is disposed of, without



expressing any view on the merits of the claim made by the petitioner. Interim order granted, if any, stands vacated. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

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// True Copy //

Sub Assistant Registrar (CS)

To

- 1.The Registrar of Co-operative Societies,
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Co-operative Credit Society,
Pazhavor - 627 121,
Radhapuram Taluk, Tirunelveli District.
- +1 CC to Mr.G.RAJENDRAN, Advocate SR-75364.
+1 CC to SPL GP SR-75521.
+1 CC to Mr.S.R.ANBARASU, Advocate SR-75647.

W.P. (MD) No.1180 of 2019

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