



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2019

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THE HONOURABLE MR.JUSTICE **K.RAVICHANDRABAABU**

AND

THE HONOURABLE MR.JUSTICE **SENTHILKUMAR RAMAMOORTHY**

Writ Petition(MD)No.13253 of 2019

and

W.M.P(MD)Nos.9879 and 9880 of 2019

M.Sellam

.. petitioner

Vs.

- 1.The Committee On o-operative Election Cases,  
East Central Zone, Thiruchirappalli.
- 2.The Election Commissioner,  
Tamil Nadu State Co-operative Societies,  
No.273, Kamadhenu Super Market,  
I Floor, Anna Salai, Chennai - 600 018.
- 3.The District Election Officer/  
District Social Welfare Officer,  
Pudukkottai District.
- 4.The Election Officer,  
Pudukkottai Women Tailoring Co-operative Society,  
Pudukkottai District.
- 5.Pudukkottai Women Tailoring Co-operative Society,  
rep. by its Secretary, Pudukkottai District.
- 6.C.Marikannu ..Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the Impugned Order of the 1st respondent in its proceedings in Petition No. 19/2019 dated 05.04.2019 and quash the same as illegal and consequently direct the 1st respondent herein to conduct the Proceedings in Petition No.19/2019 afresh affording opportunity to the Petitioner and other elected Directors of Pudukkottai Women Tailoring Co-operative Society Pudukkottai.

For Petitioner : Mr.N.Anandakumar

For Respondents : Mr.V.R.Shanmuganathan

Spl. Govt. Pleader



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(for R1, R3, R4 and R5)

Mr.G.Rajendran (for R2)

Mr.A.Haja Mohideen (for R6)

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**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, dated 05.04.2019. Consequently, the petitioner seeks for a direction to the first respondent to conduct the Proceedings in Petition No.19/2019 afresh by affording opportunity to the Petitioner and other elected Directors of the Pudukkottai Women Tailoring Co-operative Society, Pudukkottai.

2.Heard Mr.N.Anandakumar, learned counsel for the petitioner, Mr.V.R.Shanmuganathan, learned Special Government Pleader appearing for the respondents 1, 3, 4 and 5, Mr.G.Rajendran learned counsel appearing for the second respondent and Mr.A.Haja Mohideen, learned counsel for the sixth respondent.

3.This writ petition is filed by complaining that the first respondent committee has passed the impugned order without taking into consideration regarding the existence of elected Board and the functions of the Board for a period of one year. Therefore, it is contended that the order of the first respondent for conducting fresh election to the subject matter society cannot be sustained.

4.After notice, this matter is taken up for further hearing today.

5.It is submitted by the learned counsel for the petitioner as well as the learned counsels appearing for the respondents that in pursuant to the impugned order, election to the subject matter society was conducted on 31.07.2019 and the results of such election are also declared.



6. When such being the factual position, we find that the grievance of the writ petitioner as raised in this writ petition can very well be raised by way of filing an application under Section 90 of the Co-operative Societies Act challenging the election process as well as the results of the same. Therefore, by granting liberty to the petitioner to work out his remedy as stated supra, this writ petition is disposed of without expressing any view on the merits of the matter. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar

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Sub Assistant Registrar

To

1. The Committee On o-operative Election Cases,  
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Pudukkottai District.
4. The Election Officer, Pudukkottai Women Tailoring Co-operative  
Society, Pudukkottai District.
5. The Secretary, Pudukkottai Women Tailoring Co-operative Society,  
Pudukkottai District.

+1 CC to M/s.A.HAJA MOHIDEEN, Advocate ( SR-79806[F] dated 05/08/2019 )  
+1 CC to M/s.N.ANANDAKUMAR, Advocate ( SR-79906[F] dated  
06/08/2019 )  
+1 CC to M/s.G.RAJENDRAN, Advocate ( SR-79896[F] dated 06/08/2019 )  
+1 CC to M/s.SPL GP ( SR-79970[F] dated 06/08/2019 )

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AM/13.08.2019/3P-10C