



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.4750 of 2019
and
W.M.P. (MD) No.3799 of 2019

T.P.J.Thulasi Ayya : Petitioner
Vs.

1.The Election Officer,
The Tamil Nadu State Co-operative Societies,
Election Commission,
No.273, Anna Salai,
Teynampet, Chennai - 600 018.

2.The District Election Officer,
Thanjavur, Co-operative Societies.

3.The Election Officer,
T878 Thanjavur Consumer Co-operative
Whole Sale Ltd., Thanjavur. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus call for the records pertaining to the Impugned election notification of the 2nd respondent dated 20.02.2019 published in daily news-paper and quash the same and consequently direct the respondents 2 and 3 to prepare the correct voters list and proceed with the election.

For Petitioner : Mr.P.Thilakkumar

For R-1 : Mr.M.S.Palanisamy
assisted by Mr.G.Rajendran

For R-2 & R-3 : Mr.P.H.Aravind Pandian
Additional Advocate General
and
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.**]

WEB COPY

The petitioner seeks to challenge the election notification, dated 20.02.2019 with a consequential prayer for a direction to the respondents 2 and 3 to prepare the correct voters list.

2.The grievance of the petitioner is that there are some defects in the voters list. Therefore, the petitioner seeks to challenge the very election notification itself.

3.Heard both sides.

4.This Court has taken a view consistently that once election process has commenced, it cannot interfere with the same, as the aggrieved party is entitled to question the election after the declaration of the results as provided under Section 90 of the Tamil Nadu Co-operative Societies Act. In this case, however, the learned Additional Advocate General submitted that the voters list has also been corrected and the same will be published.

5.Recording the above said submission, this writ petition is disposed of. Interim order granted, if any, stands vacated. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Election Officer, The Tamil Nadu State Co-operative Societies, Election Commission, No.273, Anna Salai, Teynampet, Chennai - 600 018.
- 2.The District Election Officer, Thanjavur, Co-operative Societies.
- 3.The Election Officer, T878 Thanjavur Consumer Co-operative Whole Sale Ltd., Thanjavur.

+1cc to Mr.P.THILAKKUMAR, Advocate, SR.No.75287

+1cc to Mr.G.RAJENDRAN, Advocate, SR.No.75370

rj2

W.P. (MD) No.4750 of 2019

15.07.2019