



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 31.07.2019
CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
and
THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD) No.4769 of 2019
and
WMP (MD) Nos.3811 to 3813 of 2019

M.Raja : Petitioner

Vs.

- 1.The Election Commissioner,
Tamil Nadu Cooperative Society Elections,
Teynampet,
Chennai-600 018.
- 2.The Registrar of Co-Operative Societies,
Kilapuk, Chennai-600 010.
- 3.The Joint Registrar,
Co-Operative Societies,
Tuticorin.
- 4.The District Election Officer/
Cooperative Societies Elections /
the Deputy Registrar of Cooperative Societies,
Tuticorin.
- 5.The Electoral Officer,
Tuticorin District Consumer
Co-Operative Whole Sale Store,
Tuticorin.

: 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 related to the impugned Electoral Notification Na.ka.No.6657/2018/Ku. The.1 dated 19.02.2019 issued by the 1st respondent and quash the same in respect of Tuticorin District Consumer Co-Operative Whole Sale Store and consequently direct the respondents to consider the petitioner representation dated 25.02.2019 in accordance with Tamil Nadu Cooperative Society Act and Rules 1983.

For Petitioner

: Mr.C.D.Johnson



For R1

: Mr.G.Rajendran
Standing Counsel

For R2 to R5

: Mr.V.R.Shanmuganathan
Special Government Pleader

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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 Election Notification issued by the first respondent, dated 19.02.2019 in respect of the election to the Tuticorin District Consumer Co-Operative Whole Sale Store.

2.Heard both sides.

3.The grievance of the petitioner is that in the voters' list published, the eligible voters of about 36 Societies have not been added. Therefore, it is contended that it violates the election rules.

4.We have already taken a view that in respect of any dispute arising out of election to the Cooperative Societies, any person aggrieved, either in respect of the process of election or the results declared thereof, has to only approach the authorities constituted under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983, by filing appropriate application seeking redressal of his grievance. Therefore, this writ petition is also disposed of without expressing any view on the merits of the claim made by the petitioner only with liberty to the petitioner to work out his remedy by filing application under Section 90 of the said Act. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(Writs)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Election Commissioner,
Tamil Nadu Cooperative Society Elections,
Teynampet, Chennai-600 018.

2.The Registrar of Co-Operative Societies,
Kilapuk, Chennai-600 010.

3.The Joint Registrar,
Co-Operative Societies,
Tuticorin.

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



4.The District Election Officer/
Cooperative Societies Elections /
the Deputy Registrar of Cooperative Societies,
Tuticorin.

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5.The Electoral Officer,
Tuticorin District Consumer
Co-Operative Whole Sale Store,
Tuticorin.

+1 CC to M/s.G.RAJENDRAN, Advocate (SR-78917[F] dated 31/07/2019)

+1 CC to M/s.C.D.JOHNSON, Advocate (SR-78919[F] dated 31/07/2019)

+1 CC to M/s.SPL GP (SR-79252[F] dated 01/08/2019)

W.P. (MD) No.4769 of 2019
31.07.2019

rj2
JM/16.08.2019/3P-9C