



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.07.2019
CORAM

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

W.P. (MD) No.4819 of 2019
and

W.M.P (MD) Nos.3827 and 10448 of 2019

S.Viruthachalam

.. petitioner

Vs.

1.The Deputy Registrar /
The District Election Officer,
Thanjavur District Central Co-operative Society,
Thanjavur District.

2.The Special Officer / The Election Officer,
T 878, Thanjavur Consumer Co-operative Whole Sale,
Storehouse (Limited),
Thanjavur District.

..Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records on the file of the first respondent through his proceedings in Publication No.NIL dated 20.02.2019 published in news paper Daily Maalai Malar for conducting election to the second respondent's T 878, Thanjavur Consumer Co-operative Whole Sale, Storehouse (Limited), Thanjavur District and quash the same.

For Petitioner : Mr.K.Anbarasan

For Respondents : Mr.K.Chellapandian
Addl. Advocate General
assisted by
Mr.V.R.Shanmuganathan
Spl. Govt. Pleader

O R D E R

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

This writ petition is filed challenging the election notification, dated 20.02.2019, for conducting election to the subject matter society.



2.The grievance of the petitioner is that the voters list is not properly prepared.

3.This Court has already taken consistent view in several matters that once election process is commenced, the same cannot be stalled, as aggrieved party has to work out his remedy, by way of filing petition under section 90 of the Co-operative Societies Act, after the declaration of the results. Therefore, without expressing any view on the merits of the claim made by the petitioner, this writ petition is disposed of only by granting liberty to the petitioner to work out his remedy against the process of election and the declaration of the results thereof by filing appropriate petition under Section 90 of the Co-operative Societies Act by raising all the contentions. Interim order granted, if any, is also vacated. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AS)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Deputy Registrar /
The District Election Officer,
Thanjavur District Central Co-operative Society,
Thanjavur District.
- 2.The Special Officer / The Election Officer,
T 878, Thanjavur Consumer Co-operative Whole Sale,
Storehouse (Limited),
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+1 CC to M/s.SPL GP (SR-76284[F] dated 19/07/2019)

W.P. (MD) No.4819 of 2019
and

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SKN

JM/30.07.2019/2P-4C