



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

and

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD) No.15538 of 2019

and

W.M.P. (MD) No.12188 of 2019

Pothumponnu

: Petitioner

Vs.

1.The Hon'ble Co-operative Election Commission,
On Cooperative Societies Election Cases,
South Zone, Madurai.

2.The Tamil Nadu State Co-operative
Election Commissioner,
Annasalai, Chennai-18.

3.The District Election Officer/ Deputy Registrar,
Office of the Deputy Registrar Co-operative Societies
Collectorate Office, Tirupathur Road, Sivagangai.

4.The Election Officer,
NN 555 Thanjakkur Primary Agricultural
Co-operative Credit Society,
Thanjakkur, Manamadurai Circle,
Sivagangai.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a WRIT OF MANDAMUS directing the respondents herein to substitute the petitioner's name POTHUMPONNU in the place of her deceased son U.SARAVANAN and allow her to contest in the ensuing elections being held for the 4th respondent society, on the basis of her application, dated 22.06.2019.

For Petitioner : Mr.Veera Kathiravan

Senior Counsel
for M/S.Veera Associates

For R-1 : Mr.M.S.Panisamy

assisted by
Mr.G.Rajendran Standing Counsel

For R-2 to R-4 : Mr.K.Chellapandian

Additional Advocate General
assisted by

Mr.V.R.Shanmuganathan
Special Government Pleader

O R D E R

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

The writ petition is filed seeking for Mandamus directing the respondents herein to substitute the petitioner's name in the place of her deceased son and allow her to contest in the elections to be held for the fourth respondent Society.

2.Heard both sides.

3.According to the petitioner, her son by name U.Saravanan filed nomination to contest the election, and however, before the election, he was brutally murdered and therefore, she wants to step into the shoes of his son and contest the election. Therefore, she seeks for substitution of her name in the place of her son.

4.We do not find any justification in the prayer sought for in this writ petition, as the very request, made by the petitioner, goes against the concept of election Laws. Accordingly, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Hon'ble Co-operative Election Commission,
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Sivagangai.



+1.CC. To M/S.Veera Associates, Advocate in SR No.75543
+1.CC. To Mr.G.Rajendran, Advocate in SR No.75371

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