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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

and

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD) No.16682 of 2019

and

W.M.P. (MD) Nos.13294 and 13295 of 2019

K.Bhagavathiperumal

: Petitioner

Vs.

1.The State Tamil Nadu Co-operative Societies
Election Commissioner,
No.273, Kamadhenu Super Market,
Anna Salai, Chennai 600 018.

2.The District Election Officer/
Deputy Registrar,
Cooperative Societies,
Nagercoil Region,
Kanyakumari District.

: 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 relating to the election result published by the second respondent for 1918-Thazhakudy Primary Agricultural Co-operative Credit Society, Kanyakumari District, dated 23.07.2019 in form 22 of Tamilnadu Co-operative Rules and quash the same and consequently direct the respondents to conduct a fresh election in the said Society by following the rules in fair manner.

For Petitioner

: Mrs.Chamundi Bose
for

M/s.G.V.Vairamsanthosh

For R-1

: Mr.G.Rajendran

For R-2

: Mr.V.R.Shanmuganathan
Special Government Pleader

O R D E R

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

This writ petition is filed challenging the declaration of results in respect of election conducted to Thazhakudy Primary Agricultural Co-operative Credit Society, Kanyakumari District.



2. Heard the learned counsel appearing for the petitioner; the learned counsel appearing for the first respondent and the learned Special Government Pleader appearing for the second respondent.

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3. The grievance of the petitioner before this Court is that there were several irregularities in conducting the election and therefore, the results declared cannot be permitted to take force.

4. We have already taken a view that in respect 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(AD-II)

// True Copy //

Sub Assistant Registrar(CS)

rj2

To

1. The Election Commissioner,
State Tamil Nadu Co-operative Societies,
No.273, Kamadhenu Super Market,
Anna Salai, Chennai 600 018.

2. The District Election Officer/
Deputy Registrar,
Cooperative Societies,
Nagercoil Region,
Kanyakumari District.

+1CC TO MR.G.RAJENDRAN, Advocate Sr. No.78164

+1CC TO MR.G.V.VAIRAM SANTHOSH, Advocate Sr. No. 78282

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SVN (CO)

TR (05.08.2019) 2P 5C