



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) Nos. 16695; 16696 and 16698 of 2019

and

W.M.P. (MD) Nos. 13301 to 13306 of 2019

B. Dhanam	: Petitioner in W.P. (MD) No. 16695 of 2019
S. Murugesan	: Petitioner in W.P. (MD) No. 16696 of 2019
I. Mohammed Javid	: Petitioner in W.P. (MD) No. 16695 of 2019

Vs.

1. The Chief Election Commissioner,
Tamil Nadu State Co-operative Society,
Election Commission, Chennai 600 018.
2. The Joint Registrar of Cooperative
Societies cum Zonal Election Officer,
Cooperative Societies Building,
Medical College Road, Thanjavur.
3. The Deputy Registrar of Cooperative Societies/
District Election Officer,
Office of the District Registrar Cooperative Society,
Sarangabani Sannathi, Kumbakonam.
4. The Election Officer,
Z 825, Primary Agricultural
Cooperative Society Ltd.,
Sholapuram, Kumbakonam Taluk,
Thanjavur.

: Respondents in all the Writ Petitions

COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India, to issue a writ of Certiorari and Mandamus Calling for the records and proceedings of the 4th respondent in relating to the rejection of Petitioner's candidature and final candidates list' dated 20.07.2019' pertaining to selection of election nominees in Z 825 Primary Agricultural Cooperative Society Ltd., Sholapuram, Kumbakonam Taluk, Thanjavur and quash the same as illegal and Consequently, direct the respondents to include the nomination of the petitioner in the final candidates list and permit the petitioner to contest in the election which is scheduled on 26.07.2019.



WEB COPY

For Petitioners in all writ petitions	: Mr.P.Yasmin Begum
For R-1 in all the writ petitions	: Mr.G.Rajendran
For R-2 to R-4 in all writ petitions	: Mr.V.R.Shanmuganathan Special Government Pleader

C O M M O N O R D E R

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

All these writ petitions are filed challenging the publication of the final list of candidates contesting for the election to Primary Agricultural Cooperative Society Ltd., Sholapuram, Kumbakonam Taluk, Thanjavur District.

2.Heard the learned counsel for the petitioner; the learned counsel appearing for the first respondent and the learned Special Government Pleader appearing for the respondents 2 to 4.

3.The grievance of the petitioners before this Court is that even though they filed their respective nominations, the final list, published by the Election Officer indicating the names of the contesting candidates, does not include the names of these petitioners. Therefore, it is contended that without even issuing any communication in writing to these petitioners as to why their nominations are rejected, the Election Officer has published the final list of contesting candidates. Therefore, the petitioners seek for stalling the election. In effect, the petitioners seek to challenge the rejection of their nominations.

4.It is stated that no communication was issued to them as to why their nominations were rejected. Even otherwise, as it is seen that their nominations are not finding place in the final list published by the Election Officer, it is to be presumed that their nominations were rejected. If that be the case, it is for the petitioners to work out their remedy by filing petition under Section 90 of the Tamil Nadu Co-operative Societies Act, after the declaration of the results. As it is stated that they are not aware of the reasons on which their nominations are rejected, the Election Officer shall communicate the same to the respective petitioners independently.

5.With the above observations and liberty, these writ petitions are disposed of, without expressing any view on the merits of the claim made by both parties. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar

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To

1.The Chief Election Commissioner,
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Election Commission, Chennai 600 018.

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Cooperative Society Ltd.,
Sholapuram, Kumbakonam Taluk, Thanjavur.

+3 CC to M/s.P.YASMIN BEGUM, Advocate SR-77887,77886, 77885

+1 CC to MR.G.RAJENDRAN, Advocate (SR-78166[F] dated 29/07/2019)

+1 CC to SPL GP., SR-78224, 78258, 78255

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and

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26.07.2019

RJ2

MK (08.08.2019) 3P 10C