



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2019

CORAM:

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE Mrs. JUSTICE R.THARANI

W.P. (MD)No.18436 of 2019

and

W.M.P. (MD)No.14861 of 2019

A.Manivannan

... Petitioner

Vs.

- 1.The Commissioner,
Election Commission for
Tamil Nadu Cooperative Society,
No.273, Anna Salai,
Tyenampet, Chennai.
- 2.The District Election Officer /
Deputy Registrar of Cooperative Society,
Perumalpuram, Palayamkottai,
Tirunelveli District.
- 3.The Election Officer,
TNSPL 107 K.Alangulam Primary Agricultural
Cooperative Credit Society,
K.Alangulam, Tiruvengadam Taluk,
Tirunelveli District.

4.A.Samuthiraraj

5.Seenivasan

... Respondents

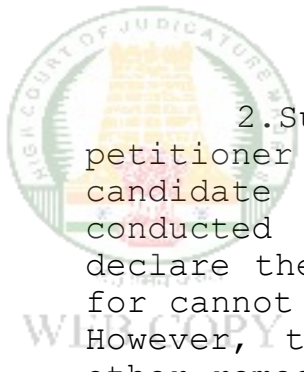
PRAYER: The petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent to conduct fresh election of the TNSPL 107 K.Alangulam Primary Agricultural Cooperative Credit Society in accordance with law, to declare that the selection of the 4th and 5th respondents are null and void.

For Petitioner	: Mr.N.Madhava Govindan
For Respondents	: Mr.G.Rajendran for R1

ORDER

(Order of the Court was made by T.S.SIVAGNANAM,J.)

The petitioner has filed this Writ petition praying for issuance of a direction upon the third respondent / Election Officer to declare the selection of the respondents 4 and 5 is null and void.



2. Such a prayer cannot be granted in a Writ petition as the petitioner has other remedy. The petitioner is an unreturned candidate as he could not get elected in the election which was conducted on 01.07.2019 and therefore, no Writ can be issued to declare the election as null and void. Therefore, the prayer sought for cannot be granted. Accordingly, the Writ petition is dismissed. However, this will not prevent the petitioner from availing the other remedy before the appropriate forum. No costs. Consequently, connected W.M.P. is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Commissioner,
Election Commission for
Tamil Nadu Cooperative Society,
No.273, Anna Salai, Teyanampet, Chennai.
 2. The District Election Officer /
Deputy Registrar of Cooperative Society,
Perumalpuram, Palayamkottai, Tirunelveli District.
 3. The Election Officer,
TNSPL 107 K. Alangulam Primary Agricultural
Cooperative Credit Society, K. Alangulam, Tiruvengadam Taluk,
Tirunelveli District.
- +1 CC to Mr.N. MADHAVAGOVINDAN, Advocate SR-85080.
+1 CC to Mr.G.RAJENDRAN, Advocate SR-85055.
+1 CC to SPL GP SR-85340.

W.P. (MD) No.18436 of 2019

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