



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

Writ Petition (MD).No.19626 of 2019
and W.M.P(MD).No.16086 of 2019

A.Livingston

... Petitioner

Vs.

1.The Chief Election Commissioner,
Co-operative Societies,
Teynampet 600 018,
Chennai.

2.The Registrar of Co-operative Societies,
170, Periyar EVR High Ways,
Kilpauk, Chennai-600 010.

3.The Tamil Nadu State Apex
Co-operative Bank Limited,
rep., by its Managing Director
No.4 (Old No.233)
N.S.C.Bose Road,
Chennai-600 001.

4.The Deputy Registrar/Managing Director
Kanyakumari District Central Co-operative Bank,
Alexandra Press Road,
Nagercoil-629 001
Kanyakumari District.

5.The Deputy Registrar/Election Officer,
Deputy Registrar of Co-operative Societies,
District Collectorate Campus,
Nagercoil-629 001
Kanyakumari District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1 and 5 to conduct an election in the fourth respondent Kanyakumari District



Central Co-operative Bank, Nagercoil, before proceeding with the election to the third respondent Apex Bank viz., the Tamil Nadu State Apex Co-operative Bank Ltd., Chennai.

WEB COPY

For Petitioner : Mr.K.Ragatheesh Kumar
for M/s.Isaac Chambers

For Respondents : Mr.C.Rajendran (for R1)
Standing Counsel

Mr.K.Chellapandian
(for R2,R3 & R5)
Additional Advocate General

Mr.D.Shanmugaraja Sethupathi
(for R4)

ORDER

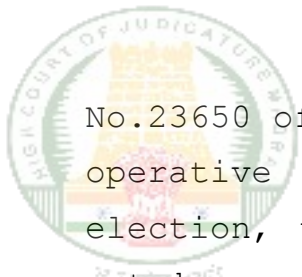
(Order of the Court was made by T.S.SIVAGNANAM,J.)

Heard Mr.K.Ragatheesh Kumar, learned counsel for the petitioner.

2.With the consent on either side, this writ petition is taken up for final disposal at the admission stage itself.

3.The petitioner seeks for a Writ of Mandamus to direct the respondents 1 and 5 to conduct election in the fourth respondent society before proceeding with the election to the third respondent Apex Bank.

4.The prayer sought for cannot be granted for more one reason. Firstly, the election process had already been commenced by notification dated 22.08.2019. In terms of the schedule, today the list of nomination will be declared as IBA. Therefore, at this juncture, the petitioner cannot seek for any order from this Court to interfere with the election process. According to the petitioner, because of the order of interim stay granted in W.P(MD).



No.23650 of 2018, election could not be conducted to the Central Co-operative Bank of Kanyakumari District and without conducting election, the election to the said third respondent society should not be conducted. If there is an interim order from this Court, obviously the respondent cannot conduct election. Therefore, we are of the considered view that the present prayer sought for by the writ petitioner in this writ petition cannot be granted at this juncture. Hence, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

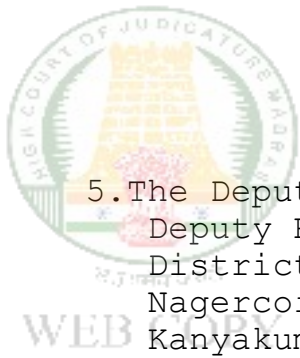
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Sub Assistant Registrar(CS)

rmk

To

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5.The Deputy Registrar/Election Officer,
Deputy Registrar of Co-operative Societies,
District Collectorate Campus,
Nagercoil-629 001
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+1 CC to M/s.G.RAJENDRAN, Advocate (SR-86472[F] dated 13/09/2019)

+1 CC to M/s.D.SHNAMUGARAJA SETHUPATHI, Advocate (SR-86471[F] dated 13/09/2019)

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-86493[F] dated 13/09/2019)

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JMN(24.10.2019) 4P : 9C