



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **01.10.2019**

CORAM:

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

W.P(MD)NO.21094 OF 2019
and
W.M.P(MD)No.17732 of 2019

P.Pandi : Petitioner
.vs.

- 1.The Commissioner,
The Tamil Nadu State Cooperative Societies Election
Commission,
No.273, Kamadhenu Supermarket,
First Floor, Anna Salai,
Chennai-18.
 - 2.The District Election Officer/
The Deputy Registrar of Cooperative Societies,
Aavin Complex,
Sivagangai Road,
Madurai.
 - 3.The Election Officer,
A2756, Kottakudi Milk Producers Cooperative Society,
Kottakudi,
Melur,
Madurai District
 - 4.The Inspector of Police,
Melur Police Station,
Melur,
Madurai District.
- : Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 3 to issue and receive the Nomination Form from the Petitioner in terms of Election Notification dated 23.09.2019 issued by the second respondent and to conduct the Executive Committee Members election of A-2756, Kottakudi Milk Producers Co-operative Society, Kottakudi, Melur, Madurai District, through the Court appointed Advocate Commissioner for free and fair election.



For Petitioner	: Mr.K.Govindarajan
	for MR.M.Suresh Kumar
For Respondent-1	: Mr.G.Rajendiran
For Respondents	: Mr.P.Marees Kumar
2 and 3	Standing Counsel
For Respondent-4	: Mr.A.K.Baskarapandian,
	Special Government Pleader

O R D E R

[Order of the Court was made by **T.S.SIVAGNANAM., J.**]

We have heard Mr.K.Govindarajan, learned counsel appearing for the Petitioner and Mr.G.Rajendiran, learned counsel, who accepts notice for the first respondent, Mr.P.Marees Kumar, learned Standing Counsel, who accepts notice for the respondents 2 and 3 and Mr.A.K.Baskarapandian, learned Special Government Pleader, who accepts notice for the fourth respondent.

2.By consent of either side, the Writ Petition is taken up for final disposal.

3.The Petitioner who had an apprehension that his nomination will not be accepted by the respondents, is before this Court by way of this Writ Petition. The other apprehension of the Petitioner is that election will not be conducted in a free and fair manner. The scrutiny of nomination will not be done in accordance with law etc. Unfortunately, we cannot entertain any plea based on apprehension. If the Petitioner is eligible to file his nominations, it goes without saying that the respondents namely, the Election Officer accept his nominations, subject to the scrutiny, the same will be taken on file.

4.The learned counsels appearing for the respondents, on instructions, submitted that the nomination of the Petitioner will be received and the entire process will be conducted in a fair and transparent manner.

5.Considering the fact that the Writ Petition is solely based on apprehension, we cannot grant any relief as sought for in the Writ Petition. All that we can do is, we can make an observation that the respondents shall act strictly in accordance with law and procedures to be followed should be in a fair and transparent manner.



6.With the above observations, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

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Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

To

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+1 CC to Mr.E.MAREESKUMAR, Advocate (SR-90697[F] dated 01/10/2019)
+1 CC to Mr.M.SURESH KUMAR, Advocate (SR-90792[F] dated
01/10/2019)
+1 CC to spl.GP (SR-91209[F] dated 03/10/2019)

ORDER MADE IN
W.P (MD) No.21094 of 2019
01.10.2019

VSN

MK (18.10.2019) 3P 8C