

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 07.08.2019

CORAM:

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THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU**and****THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY****W.P.(MD) Nos.25565 to 25574 of 2018****and****W.M.P.(MD) Nos.23175 to 23184 of 2018**

P.Velsamy	... Petitioner in WP(MD)No.25565 of 2018
T.Easter	... Petitioner in WP(MD)No.25566 of 2018
V.Alagar	... Petitioner in WP(MD)No.25567 of 2018
T.Thanga Durai	... Petitioner in WP(MD)No.25568 of 2018
V.Petchiammal	... Petitioner in WP(MD)No.25569 of 2018
S.Rajalakshmi	... Petitioner in WP(MD)No.25570 of 2018
S.Ramachandran	... Petitioner in WP(MD)No.25571 of 2018
A.Selva Kumar	... Petitioner in WP(MD)No.25572 of 2018
A.Vasanthi	... Petitioner in WP(MD)No.25573 of 2018
A.Ramachandran	... Petitioner in WP(MD)No.25574 of 2018

Vs.

1) The Secretary,
The Hon'ble Special Committee Constituted for
Cooperative Societies Election,
South Zone,
Madurai.

2) The Election Officer / Returning Officer,
EE164, Kulayankarisa Primary Agricultural
Cooperative Credit Society,
Podammalpuram,
Kootampuli Post,
Thoothukudi District.

... Respondents
in all Wp's.

COMMON PRAYER: These Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus by directing the 1st respondent to forward the petitioner's case before the Hon'ble Special Committee Constituted for Co-operative Society Election Cases, (South Zone), Madurai so as to hold an enquiry with regard to the rejection of the petitioner's nomination form dated 30.04.2018 submitted in connection with the election to the board of



members of EE164, Kulayankarisal Primary Agricultural Cooperative Credit Society, Podammalpuram, Kootampuli Post, Thoothukudi District on the basis of the petitioner's representation dated 21.12.2018 on par with the case of another member of the said society by name T.Velraj, S/o Thangaraj.

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For Petitioners : Mr.P.Gunasekaran
in all cases
For Respondents : Mr.VR.Shanmuganathan,
in all cases Special Government Pleader

C O M M O N O R D E R

(Order of the Court was made by **K.RAVICHANDRABAABU, J.)**

1. In all these Writ Petitions, the respective writ petitioners seek for a direction to the first Respondent to forward the petitioner's case before the Hon'ble Special Committee Constituted for Co-operative Society Election Cases, (South Zone), Madurai so as to hold an enquiry with regard to the rejection of the petitioner's nomination form dated 30.04.2018 submitted in connection with the election to the board of members of EE164, Kulayankarisal Primary Agricultural Cooperative Credit Society, Podammalpuram, Kootampuli Post, Thoothukudi District on the basis of the petitioner's representation dated 21.12.2018 on par with the case of another member of the said society by name T.Velraj, S/o Thangaraj.

2. We heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents.

3. The grounds raised by these writ petitioners before this Court is that their nominations were rejected and therefore, the complaint made against such rejection has to be forwarded to the Committee constituted before this Court. It is seen that the said Committee was constituted by this Court by an order passed in W.P. (MD) No.7526 of 2018 dated 03.08.2018 where the Division Bench has specifically observed that the objections/compliance may be filed before the Committee within seven days from the date of its constitution.

4. It is seen that these objections which are sought to be referred to the Committee were made subsequent to the cut-off date. In any event, as we are taking consistent view that the dispute with regard to the Cooperative Election, if any, has to be raised and agitated only by filing an application under Section 90 of the Tamil Nadu Co-operative Societies Rules, after declaration of resolution, it is for the petitioners to work out their remedy by filing such application under Section 90 of the Tamil Nadu Co-operative Societies Rules and raise all their contentions as raised in their objections.



5. Granting such liberty, all these writ petitions are disposed of without expressing any view on the merits of the claim made by the petitioners. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To

- 1) The Secretary,
The Hon'ble Special Committee Constituted for
Cooperative Societies Election,
South Zone,
Madurai.
- 2) The Election Officer / Returning Officer,
EE164, Kulayankarisal Primary Agricultural
Cooperative Credit Society,
Podammalpuram,
Kootampuli Post,
Thoothukudi District.

+1 CC to SPL GP (SR-80598[F] dated 08/08/2019)

Common Order made in
W.P. (MD) Nos.25565 to 25574 of 2018
07.08.2019

sts

MK (26.08.2019) 3P 4C