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W.P. (MD) No.26970 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.12.2019

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THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P. (MD) No.26970 of 2019

S.Veluchamy

... Petitioner

Vs.

1.The State of Tamil Nadu,
represented by the Principal Secretary to
the Government,
Co-operation, Food and Consumer Protection
Department,
Fort St.George,
Chennai-600 009.

2.The Election Commission,
Tamil Nadu State Co-operative Societies,
represented by its Secretary,
No.273, Kamadenu Super Market,
I Floor, Anna Salai,
Chennai-600 018.

3.The Registrar of Co-operative Societies,
Chetpet,
Chennai-600 010.

4.The District Election Officer/
Deputy Registrar of Co-operative Society,
Madurai Main Road, Tenkasi,
Tirunelveli District.

5.The Election Officer,
T.S.-30-Subramaniyapuram Primary Agricultural
Co-operative Credit Society,
Subramaniyapuram,
Tirunelveli District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the fourth respondent to pass final order on the Election Petition No.74 of 2019-20 within the stipulated time as fixed by this Court.

<https://hcservices.ecourts.gov.in/hcservices/>



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For Petitioner : Mr.C.Mayilvahana Rajendran
For Respondents : Mr.K.Chellapandian
Additional Advocate General
for R.1, R.3 to R.4 & 5
: Mr.G.Rajendran
for R.2

* * * * *

ORDER

[Order of the Court was delivered by **M.DURAISWAMY, J.**]

The petitioner has filed the above writ petition to issue a writ of mandamus directing the fourth respondent to pass final order in the Election Petition No.74 of 2019-20 within a time frame.

2. The learned Counsel appearing for the petitioner submitted that though the election petition was filed before the fourth respondent as early as in July 2019, the same has not yet been disposed of.

3. Mr.K.Chellapandian, learned Additional Advocate General appearing for the respondents 1, 3, 4 and 5 submitted that already the fourth respondent had issued notice to the private respondents and is proceeding with the election petition. Further the learned Additional Advocate General submitted that the fourth respondent may be directed to dispose of the election petition within a period of three months.

4. In view of the submissions made by the learned Counsel appearing on either side, taking into consideration the limited prayer sought for by the learned Counsel appearing for the petitioner, without expressing any opinion with regard to the merits of the case, we direct the fourth respondent to dispose of the Election Petition No.74 of 2019-20 on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

5. With these observations, the Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)



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To

1.The the Principal Secretary to the Government,
State of Tamil Nadu,
Co-operation, Food and Consumer Protection
Department,
Fort St.George,
Chennai-600 009.

2.The Registrar of Co-operative Societies,
Chetpet,
Chennai-600 010.

3.The District Election Officer/
Deputy Registrar of Co-operative Society,
Madurai Main Road, Tenkasi,
Tirunelveli District.

4.The Election Officer,
T.S.-30-Subramaniyapuram Primary Agricultural
Co-operative Credit Society,
Subramaniyapuram,
Tirunelveli District.

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-105674[F] dated 18/12/2019)

+1 CC to M/s.G.RAJENDRAN, Advocate (SR-105699[F] dated 18/12/2019)

+1 CC to M/s.SPL.GP (SR-106164[F] dated 20/12/2019)

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sgs (CO)
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