

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. No.34252 of 2018

A.Rajasekar,
S/o.Arumugam

... Petitioner

Vs

1. The Commissioner,
Tamilnadu State Co-operative
Societies Election Commission,
Kamadenu Super Market, 1st Floor,
Anna Salai, Teynampet,
Chennai - 18.
2. The District Election Officer/General Manager,
District Industries Centre,
SIDCO Industrial Estate,
Krishnagiri, Krishnagiri District - 635 301.
3. The Election Officer,
IND No.1/KGI Krishnagiri District Printers
Service Industrial Co-operative Society Ltd.,
No.32, Old Head Post Office Building,
K' Theatre Road,
Krishnagiri,
Krishnagiri District - 635 301.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 26.11.2018.

For Petitioner : Mr.T.Sundaravadanam
For R1 : Mr.M.S.Palaniswamy
Standing Counsel
For R2 : Mr.R.Balaramesh
Special Government Pleader

ORDER

This writ petition has been filed by the petitioner seeking for issuance of a writ of Mandamus, to direct the 1st

respondent to consider the petitioner's representation dated 26.11.2018.

2. The grievance of the petitioner is that on the date when the election results were announced the qualified candidate Manjula had secured 31 votes but had died and therefore Gomathi who secured 28 votes was declared as a winner.

3. The learned counsel for the 1st and 2nd respondents submits that an appeal lies against the order declaring the results under Section 90 of the Tamil Nadu Co-operative Societies Act, 1983 and therefore it is for the petitioner to raise an election dispute before the Appellate Authority.

4. I have considered the arguments advanced by the learned counsel for the petitioner and the respondents.

5. Without expressing any opinion on the correctness or otherwise in the manner in which the election results were declared by the 3rd respondent, I dispose this writ petition, since representation dated 26.11.2018 of the petitioner is pending before the 1st respondent, the 1st respondent is therefore directed to dispose the same within a period of four weeks from the date of communication of this order.

6. This Writ Petition is disposed of with the above observations. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

arb

To

1. The Commissioner,
Tamilnadu State Co-operative
Societies Election Commission,
Kamadenu Super Market, 1st Floor,
Anna Salai, Teynampet,
Chennai - 18.

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2. The District Election Officer/General Manager,
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Krishnagiri, Krishnagiri District - 635 301.

+1cc to M/s.T.Sundaravadanam, Advocate Sr.14499
+1cc to M/s.M.S.Palaniswamy, Advocate Sr.14754
+1cc to M/s.R.Balaramesh, Advocate Sr.14037

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pl[co]
srg 26/03/2021



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