



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.P.[MD]No.8324 of 2021

and

W.M.P.[MD]Nos.6300 and 6301 of 2021

C.Manas

... Petitioner

Vs.

1.The Chief Executive Officer,
Khadi and Village Industries,
Kilpauk, Chennai.

2.The District Election Officer/Assistant Director,
Khadi and Village Industries,
Kilpauk, Chennai.

3.The Election Officer,
Marthandam Bee Keepers
Co-operative Society Limited,
No.2050, Periaivillai Veedu,
Kuzhithurai Village and Post,
Kanyakumari District.

4.The Marthandam Bee Keepers
Co-operative Society Limited,
Rep by Special Officer,
No.2050, Periaivillai Veedu,
Kuzhithurai Village and Post,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to rejection of the nomination of the petitioner by the third respondent dated 13.03.2020 and quash the same and consequently direct the third respondent to accept the nomination of the petitioner and others rejected on the same ground and to conduct fresh election to Marthandam Bee Keepers Co-operative Society Limited, No.2050, Periaivillai Veedu, Kuzhithurai Village and Post, Kanyakumari District.

For Petitioner : Mr.R.Jeyaprakash

for Mr.D.Selvanayagam

For Respondents 1 & 2: Mr.P.Mahendran

Additional Government Pleader

For Respondent No.3 : Mr.R.Vijayakumar

For Respondent No.4 : Mr.Raghuvaran Gopalan



O R D E R

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

With the consent on either side, the Writ Petition itself is taken up for final disposal.

2.Heard Mr.R.Jeyaprakash, learned Counsel for for Mr.D.Selvanayagam, learned Counsel appearing for the petitioner, Mr.P.Mahendran, learned Additional Government Pleader appearing for the first and second respondents, Mr.R.Vijayakumar, learned Counsel appearing for the third respondent and Mr.Raghuvaran Gopalan, learned Counsel appearing for the fourth respondent.

3.The petitioner seeks for a Writ of Certiorarified Mandamus, to call for the records pertaining to rejection of the nomination of the petitioner by the third respondent dated 13.03.2020 and quash the same and consequently direct the third respondent to accept the nomination of the petitioner and others rejected on the same ground and to conduct fresh election to Marthandam Bee Keepers Co-operative Society Limited, No.2050, Periaivillai Veedu, Kuzhithurai Village and Post, Kanyakumari District.

4.In the light of the fact that the matter relates to election to the post of Board of Directors in a Co-operative Society registered under the Travancore Co-operative Societies Act, it is but appropriate that the petitioner invokes the remedy available therein.

5.The learned Counsel for the third respondent submitted that the election results have been declared and the writ petition is not maintainable.

6.Accordingly, the Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

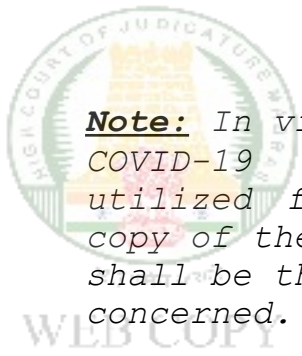
Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Chief Executive Officer,
Khadi and Village Industries,
Kilpauk, Chennai.

2.The District Election Officer/Assistant Director,
Khadi and Village Industries,
Kilpauk, Chennai.

+1 CC to M/s.D.SELVANAYAGAM, Advocate (SR-17320[F] dated 23/04/2021)

+1 CC to M/s.RAGUVARAN GOPALAN, Advocate (SR-17399[F] dated 26/04/2021)

ORDER MADE IN
W.P. [MD]No.8324 of 2021

22.04.2021

_CN(15.06.2021) 3P 5C