



WP(MD)No.11669/2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.11669/2013 &
MP(MD)No.1/2013

C.Thiraviyam

Vs

...Petitioner

- 1.The Deputy Registrar,
Diary Development,
Collectorate Complex,
Tirunelveli - 9.
- 2.The Election Officer,
TYD Gandhi Anna Nagar,
Milk Producers Co-operative Society,
Gandhi Anna Nagar,
Adaikalapattinam Post,
Alankulam Taluk,
Tirunelveli District.
- 3.The Ex-Special Officer,
(President, Milk Collection Committee),
TYD 938, Gandhi Anna Nagar
Milk Producers Co-operative Society,
Norch Car Street, Ambasamudram,
Tirunelveli District.
- 4.TYD 938, Gandhi Anna Nagar,
Milk Producers Co-operative Society,
through its President, 938, Gandhi Anna Nagar,
Milk Producers Co-operative Society,
Adaikalapattinam Post,



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Alankulam Taluk,
Tirunelveli District.

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5.TYD 938, Gandhi Anna Nagar,
Milk Producers Co-operative Society,
through its Secretary,
938, Gandhi Anna Nagar,
Milk Producers Co-operative Society,
Adaikalapattinam Post,
Alankulam Taluk,
Tirunelveli District.

- 6.S.Ram Ganagasabapathy
- 7.Seeninathan
- 8.S.Ramasamy
- 9.A.Subramanian
- 10.M.Samuthiram
- 11.S.Ganesan
- 12.P.Prema
- 13.M.Santha
- 14.L.Kanika
- 15.M.Shanmugavel
- 16.K.Mayilarasan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus declaring that the election of the respondents 6 to 16 as member of the Execute Committee of the 4th respondent Society and the election of 6 and 10th respondents as President and Vice President respectively of the 4th respondent Society is invalid, void, abinitio and nonest and consequently restraining them from acting as the President and Vice President of the 4th respondent Society.



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For Petitioner : No appearance

For Respondents : Mr.S.Shaji Bino,
Special Government Pleader
for R1 to R5

No appearance for R6 to R16

ORDER

This writ petition was filed in the year 2013 for a mandamus declaring the election of the respondents 6 to 16 as President, Vice President and members of the Executive Committee as invalid.

2. When this matter was taken up for hearing on 09.01.2023, it was reported that the learned counsel appearing for the petitioner has passed away and therefore, this Court by order dated 09.01.2023, issued notice to the petitioner and it was also served on the petitioner on 18.01.2023. Even then, there is no representation for the petitioner till date.

3. The learned counsel attached to the office of Mr.P.Senthur Pandian, learned counsel submits that they require some time to get instructions.



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4. The learned Special Government Pleader submits that this writ petition was filed challenging the election which was held for the 4th respondent Society. The election results were declared on 06.05.2013. Now, according to the learned Special Government Pleader, subsequent election has been conducted in the year 2018 and new set of office bearers have been appointed and therefore, nothing survives in this writ petition.

5. Since the relief sought for in the prayer has become infructuous, no further order is required to be passed. Therefore, recording the submissions of the learned Special Government Pleader, this writ petition is closed. No costs. Consequently, the connected Miscellaneous Petition is closed.

09.03.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

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To

The Deputy Registrar,
Diary Development,
Collectorate Complex,
Tirunelveli - 9.



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B.PUGALENDHI, J.

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