



W.P(MD)No.25535 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.25535 of 2018
and
W.M.P(MD)No.23140 of 2018**

G.Gnanasekar

... Petitioner

VS.

- 1.The Election Commissioner,
Tamil Nadu Co-operative Societies,
Election Commission,
No.273, Anna Salai,
Chennai – 600 018.
- 2.The Deputy Registrar of Co-operative Societies/
District Election Officer,
Kovilpatti,
Thoothukudi District.
- 3.The Election Officer,
O.522, Kovilpatti Agriculture Producers Co-operative
Marketing Society Limited,
Sathur Road,
Kovilpatti,
Thoothukudi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Mandamus, directing the respondents to



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cancel the entire election process of the third respondent Society proposed to be held on 26.12.2018 and to initiate the entire election process for the third respondent Society afresh based on the representation dated 21.12.2018.

For Petitioner	: Ms.Lakshmi Gopinathan
For Respondent No.1	: No appearance
For Respondent Nos.2 & 3	: Mr.Veera Kathiravan Additional Advocate General Assisted by Mr.S.P.Maharajan Special Government Pleader

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

The petitioner has filed the present Writ Petition to direct the respondents to cancel the entire election process of the third respondent Society proposed to be held on 26.12.2018 and to initiate the entire election process for the third respondent Society afresh based on the representation dated 21.12.2018.

2.When the matter was taken up for hearing today, learned Additional Advocate General appearing for the respondents 2 & 3 would submit that the office bearers of the elected body for the Society's tenure is



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over and hence, the prayer sought for by the petitioner has become infructuous. He would further submit that the Administrator is in-charge of the aforesaid Society.

3.Since the election period is already over and the election disputes cannot be entertained under Article 226 of the Constitution of India and the same has to be decided before the appropriate forum as per the Tamil Nadu Co-operative Societies Act, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petitions are closed.

[D.K.K.,J.] [R.V.,J.]
11.03.2024

NCC : Yes / No
Index : Yes / No
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ORDER MADE IN
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