



W.P.Nos.37874 & 43317 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2025

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CORAM:

THE HONOURABLE MR. JUSTICE **V. LAKSHMINARAYANAN**

W.P.Nos.37874 & 43317 of 2025 &

WMP.Nos.42334, 42338, 49572, 48497, 48498 & 48499 of 2025

In W.P.No.37874 of 2025

Thiruvallur Transport Corporation
Employees Co-operative Credit Society,
Represented by its Secretary,
Office at No.1735, 18th Main Road,
Anna Nagar West,
Chennai – 600 040. ... Petitioner

Vs.

- 1.The Central Registrar of Co-operative Societies,
World Trade Centre, Tower-E,
9th Floor, Nauroji Nagar,
New Delhi – 110029.
- 2.The Co-operative Election Authority,
Office of Co-operative Election Authority,
World Trade Centre, Tower-E,
9th Floor, Nauroji Nagar,
New Delhi – 110029.
- 3.The District Collector/Magistrate Chennai
Returning Officer of Thiruvalluvar Transport Corporation
Employees Co-operative Credit Society Limited,
No.36 B, 2nd Cross Street, Pulla Avenue,
Shinoy Nagar,
Chennai. ... Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus to call for the records relating to the order dated 09.09.2025 passed in No.CEA-12011/302/2025 issued by the 2nd respondent and quash the same



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and consequently, direct the respondents to conduct the election of the petitioner society as per Election Programme schedule issued by the 2nd respondent in Election No.35/2025-2026 dated 08.05.2025.

For Petitioner :Mr.C.S.K.Sathish

For Respondent :Mr.L.S.M.Hasan Fizal,
Additional Government Pleader

In W.P.No.43317 of 2025

V.Thilagavathi

... Petitioner

Vs.

- 1.Thiruvallur Transport Corporation
Employees Co-operative Credit Society,
Represented by its Secretary,
Office at No.1735, 18th Main Road,
Anna Nagar West,
Chennai – 600 040.
- 2.The Secretary,
Thiruvallur Transport Corporation Employees
Co-operative Credit Society Ltd.,
Tempz Building, No.1735,
18th Main Road, Anna Nagar West,
Chennai – 600 040.
- 3.The Central Registrar of Co-operative Societies,
World Trade Centre, Tower-E,
9th Floor, Nauroji Nagar,
New Delhi – 110029.
- 4.The Co-operative Election Authority,
Office of Co-operative Election Authority,
World Trade Centre, Tower-E,
9th Floor, Nauroji Nagar,
New Delhi – 110029.

... Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a writ of mandamus to direct the third respondent herein to appoint a higher level officer from the third respondent office to verify the list of the members of the first



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respondent society and then fix the date to conduct the election and inform to all the members of the first respondent society and then conduct the election to the first respondent society by way of conducting democratic election.

For Petitioner : Mr.K.Ravindran for
Mr.D.Soundar Raj

For Respondent 1 : Mr.C.S.K.Sathish

For Respondent 2 :Mrs.Dakshayani Reddy,
Senior Counsel, for
Mrs.R.Sunitha

COMMON ORDER

The petitioner in W.P.No.37874 of 2025 is a Multistate Co-operative Society. It challenged the order dated 09.09.2025 passed by the Cooperative Election Authority. In terms of the impugned order, the Cooperative Election Authority had appointed the District Collector/Magistrate, Chennai as the Returning Officer for conducting the election of 11 board members and 2 office bearers of the writ petitioner Society.

2. The grievance of the writ petitioner is that, in terms of Section 45 of the Multi State Cooperative Societies Act of 2002, as amended by the Parliament Act of 11 of 2023, the responsibility of conducting the election is with the Central Registrar who shall constitute Cooperative Election Authority. The petitioner pleads that the Cooperative Election



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Authority cannot usurp the power of the Central Registrar of Cooperative Societies and direct the holding of election. Considering the urgency that was expressed by the petitioner, this court took the matter up during vacations and granted an order of interim stay on 03.10.2025. Subsequently, by an order dated 03.11.2025, I extended the interim stay till the disposal of the writ petition.

3. In the meantime, taking note of the proceedings pending before this Court, the Central Registrar passed an order directing the holding of elections for the writ petitioner society. He had appointed the District Magistrate cum District Registrar as the election officer. The District Magistrate, in turn, has appointed the Cooperative Societies Registrar to go through the motion of the election. The committee so formed is the Cooperative Election Authority.

4. After the process of election had commenced, the petitioner in W.P.No.43317 of 2025 has approached this Court, stating that the Secretary, Tiruvallur Transport Corporation Employees Cooperative Credit Society Limited is facing several allegations and that, if the elections are held under his auspices, it might not result in a free and fair election. The petitioner in W.P.No.43317 of 2025 has alleged several acts against the Secretary, Tiruvallur Transport Corporation



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Employees Cooperative Credit Society Limited, and has produced the records in the form of First Information Reports and order granting Anticipatory Bail to him to substantiate her case.

5. Taking note that more than 3000 persons are members of the Tiruvallur Transport Corporation Employees Cooperative Credit Society Limited, this Court felt that if a neutral observer is appointed to oversee the process of election, the possibility of allegations and doubts surrounding the conduct of the election would be reduced. Consequently, this Court directed Mr.L.S.M.Hasan Fizal to get in touch with the District Collector cum District Magistrate, Chennai, to forward 5 names of officers in the rank of District Revenue Officer (an officer superior in position than the Assistant Returning Officer) to act as an observer in the election.

6. Mr.L.S.M.Hasan Fizal sought time to get the list. Hence, I posted the matter today.

7. When I took up the matter, Mr.L.S.M.Hasan Fizal has circulated a list of five officers in the rank of Deputy Collectors. From this list, I notice that the person found in Sl.No.3, viz., Mr.J.Saravanan, District Backward Classes Welfare Officer, has



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worked as a Nodal Officer for the General Elections held in 2024 for the Villivakkam Constituency. As he has previous electoral experience, I am of the view that he may be appointed as an observer for the election to be conducted at the Tiruvallur Transport Corporation Employees Cooperative Credit Society Limited. The election is slated to be held on 07.12.2025. Mr.J.Saravanan will be present to observe the process of election. He shall submit a report to the Central Registrar of Cooperative Societies, namely, the first respondent in W.P.No.37874 of 2024 and the third respondent in W.P.No.43317 of 2025. This court fixes the remuneration for the observer at Rs.15,000/-. The writ petitioner Society (W.P.No.37874 of 2025) shall pay the remuneration to Mr.J.Saravanan, the Deputy Collector, Chennai, before conclusion of the election.

8. Mr.C.S.K.Sathish brings my attention to the order passed by the Central Registrar on 10.11.2025, stating that the results of the election is subject to the outcome in W.P.No.37874 of 2025. Since the writ petitions itself are being disposed of, the election authority need not wait for the outcome of the writ petitions. It shall go ahead and declare the results in presence of the observer, as per the election schedule.



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9. Mrs.Dhakshayana Reddy states that certain findings have been given by this Court in W.P.No.43317 of 2025 on 28.11.2025. She states that paragraph 2 of the said order goes against the interests of the present incumbent. Her submission is misplaced.

10. I have merely extracted the averments made in the affidavit, while calling upon Mr.L.S.M.Hasan Fizal to come up with the list. This court did not, nor did it have the opportunity to, go into the question of allegations made against the present incumbent. Such being the case, paragraph 2 of the order will not be treated as the findings of this Court on the alleged allegation made against the second respondent.

11. With the above observations, the writ petitions stand disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

01.12.2025

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Internet:Yes

Index:Yes/No

Speaking/Non speaking order



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V. LAKSHMINARAYANAN. J,

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