

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

WP(C).No.2175 of 2013 (V)

PETITIONERS :

1. AJITH, AGED 44 YEARS,
S/O.SANTHAKUMARAN, PRESIDENT,
KARUMKULAM SERVICE CO-OPERATIVE BANK LTD. NO.4055.
2. K.K.VIJAYAN,
AGED 53 YEARS,
S/O.KORMALIUS, PRESIDENT,
KANJIRAMKULAM SERVICE CO-OPERATIVE BANK LTD.NO.3970,
KANJIRAMKULAM P.O.
3. BASHEER,
MANAGING COMMITTEE MEMBER,
NEMOM HANDLOOM WEAVERS & PRODUCERS
CO-OPERATIVE SOCIETY LTD.NO.H.68.

BY ADVS.SRI.R.T.PRADEEP
SRI.P.BIJIMON

RESPONDENTS :

1. ELECTORAL OFFICER/ASSISTANT REGISTRAR (E.A.),
OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM-695001.
2. THE THIRUVANANTHAPURAM DISTRICT CO-OPERATIVE BANK LTD.,
REPRESENTED BY ITS GENERAL MANAGER, HEAD OFFICE, FORT,
THIRUVANANTHAPURAM-695001.
3. GENERAL MANAGER,
THE THIRUVANANTHAPURAM DISTRICT CO-OPERATIVE BANK LTD.,
HEAD OFFICE, THIRUVANANTHAPURAM-695001.
4. ADMINISTRATOR/JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL),
THE THIRUVANANTHAPURAM DISTRICT CO-OPERATIVE BANK LIMITED,
HEAD OFFICE, THIRUVANANTHAPURAM-695001.
5. ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL),
OFFICE OF ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES,
NEYYATTINKARA.
6. REGISTRAR / GENERAL MANAGER,
DISTRICT INDUSTRIES CENTRE, THIRUVANANTHAPURAM.

R3 BY ADV. SRI.C.K.JAYAKUMAR, SC, TVM. DIST. CO.OP.BANK LTD,
R2 & R4 BY ADV. SRI.GEORGE POONTHOTTAM
R2 & R4 BY ADV. SRI.P.SUBAIR KUNJU
BY GOVERNMENT PLEADER SRI.V.K.RAFEEQ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS :-

EXHIBIT P1: TRUE COPY OF THE IDENTITY CARD OF MEMBERSHIP OF FIRST PETITIONER.

EXHIBIT P2: TRUE COPY OF THE IDENTITY CARD OF MEMBERSHIP OF SECOND PETITIONER.

EXHIBIT P3: TRUE COPY OF THE IDENTITY CARD OF MEMBERSHIP OF THIRD PETITIONER.

EXHIBIT P4: TRUE COPY OF THE ELECTION NOTIFICATION DT.22-12-2012 OF STATE ELECTION COMMISSION.

EXHIBIT P5: TRUE COPY OF THE OBJECTION DT.14-1-2013 BY FIRST PETITIONER.

EXHIBIT P6: TRUE COPY OF THE OBJECTION DT.14-1-2013 BY SECOND PETITIONER.

EXHIBIT P7: TRUE COPY OF THE OBJECTION DT.14-1-2013 BY THIRD PETITIONER.

EXHIBIT P8: TRUE COPY OF THE INFORMATION DT.27-7-2012 FURNISHED TO THIRD PETITIONER UNDER THE RIGHT TO INFORMATION ACT.

EXHIBIT P9: TRUE COPY OF THE FINAL LIST OF 'A'CLASS MEMBERS DT.16-1-2013.

RESPONDENTS' EXHIBITS :- NIL

True copy

P.A to Judge

ANIL K.NARENDRA, J.

W.P.(C)No.2175 of 2013

Dated this the 1st day of October, 2015

JUDGMENT

Today when the case was taken up for final hearing, the learned counsel for the petitioners would point out that subsequent to the interim order passed by this Court the election to the Board of Directors was conducted on 10.2.2013 and that even after excluding the votes of the Societies made mention in Exts.P5, P6 and P7, the candidates contested in the election got majority.

2. Then the learned counsel for the petitioners would submit that, leaving open all the contentions raised by the petitioners against validity of Ext.P9 final voters list prepared for the election to the Board of Directors of the Bank held on 10.2.2013, this writ petition may be dismissed as withdrawn.

In such circumstances, this writ petition is dismissed as withdrawn leaving open all the contentions raised in the writ petition against the validity of Ext.P9 final voters list.

Sd/-

ANIL K.NARENDRA, JUDGE

skj