IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 23RD DAY OF JUNE 2014/2ND ASHADHA, 1936

WP(C).No. 4115 of 2012 (L)

PETITIONER(S):

1. P.C.KUNJUNJU AGED 69 YEARS
AGED 69 YEARS, S/O.VELAYUDHAN, PUTHUMANA HOUSE
MADAKKATHANAM P.O., VAZHAKKULAM, ERNAKULAM DISTRICT.

2. P.N.PADMAVATHY
AGED 61 YEARS, W/O.P.C.KUNJUNJU, PUTHUMANA HOUSE
MADAKKATHANAM P.O., VAZHAKKULAM, ERNAKULAM DISTRICT.

3. SEJOY.K
AGED 30 YEARS, S/O.KUNJUNJU
PUTHUMANA HOUSE, MADAKKATHANAM P.O., VAZHAKKULAM
ERNAKULAM DISTRICT.

BY ADVS.SRI.ALEXANDER JOSEPH
SRI.SOJI JOSEPH

RESPONDENT(S):

1. VAZHAKULAM SERVICE CO-OPERATIVE BANK
LTD. NO.2824, VAZHAKULAM P.O., MUVATTUPUZHA
ERNAKULAM DISTRICT
REPRESENTED BY ITS SECRETARY-686 670.

2. THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL), MUVATTUPUZHA, ERNAKULAM DISTRICT-686 661.

3. THE INSPECTOR OF CO-OPERATIVE SOCIETIES
FOR ARBITRATION & EXECUTION
OFFICE OF THE ASST.REGISTRAR OF
CO-OPERATIVE SOCIETIES (GENERAL)
MUVATTUPUZHA, ERNAKULAM DISTRICT-686 661.

R1 BY ADV. SRI.V.M.KURIAN
BY ADV. SRI.MATHEW B. KURIAN
BY ADV. SRI.K.T.THOMAS
R2 & R3 BY GOVERNMENT PLEADER SHRI RENNY STEPHEN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23-06-2014, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING

WP(C).No. 4115 of 2012 (L)

APPENDIX

PETITIONERS' EXHIBITS

EXHIBIT P1- TRUE COPY OF THE JUDGMENT DATED 3.7.2007 IN WPC NO.20371/2007.

EXHIBIT P2- TRUE COPY OF THE NOTICE DATED 13.9.07 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONERS.

EXHIBIT P3- TRUE COPY OF THE ORDER DATED 5.10.2010 IN RP NO.22/10 OF THE KERALA CO-OPERATIVE TRIBUNAL, TRIVANDRUM.

EXHIBIT P4- TRUE COPY OF THE AWARD DATED 10.1.2007 ARC NO.1261/2006 OF THE 2ND RESPONDENT.

EXHIBIT P5- TRUE COPY OF THE AWARD DATED 10.1.2007 ARC NO.1262/2006 OF THE 2ND RESPONDENT.

EXHIBIT P6- TRUE COPY OF THE AWARD DATED 10.1.2007 ARC NO.1263/2006 OF THE 2ND RESPONDENT.

EXHIBIT P7- TRUE COPY OF THE RP NO.189/2010 DATED 30.11.2010 FILED BY THE IST AND 2ND PETITIONERS.

EXHIBIT P8- TRUE COPY OF THE RP NO.190/2010 DATED 30.11.2010 FILED BY THE IST AND 2ND PETITIONERS.

EXHIBIT P9- TRUE COPY OF THE RP NO.191/2010 DATED 30.11.2010 FILED BY THE PETITIONERS.

EXHIBIT P10- TRUE COPY OF THE OBJECTION DATED 14.9.2011 FILED BY THE IST RESPONDENT IN RP NO.189/2010.

EXHIBIT P11- TRUE COPY OF THE OBJECTION DATED 14.9.2011 FILED BY THE IST RESPONDENT IN RP NO.190/2010.

EXHIBIT P12- TRUE COPY OF THE OBJECTION DATED 14.9.2011 FILED BY THE IST RESPONDENT IN RP NO.191/2010.

EXHIBIT P13- TRUE COPY OF THE ORDER DATED 5.1.2012 IN RP NO.189/2010 OF THE KERALA CO-OPERATIVE TRIBUNAL, TRIVANDRUM.

EXHIBIT P14- TRUE COPY OF THE ORDER DATED 5.1.2012 IN RP NO.190/2010.

EXHIBIT P15- TRUE COPY OF THE ORDER DATED 5.1.2012 IN RP NO.191/2010.

EXHIBIT P16- TRUE COPY OF THE AUCTION NOTICE DATED 3.2.12 ISSUED TO THE IST PETITIONER.

EXHIBIT P17- TRUE COPY OF THE AUCTION NOTICE DATED 3.2.12 ISSUED TO THE 2ND PETITIONER.

EXHIBIT P18- TRUE COPY OF THE AUCTION NOTICE DATED 3.2.12 ISSUED TO THE 3RD PETITIONER.

EXHIBIT P19- TRUE COPY OF THE AUCTION NOTICE DATED 3.2.12 ISSUED TO THE IST PETITIONER DEMANDING RS.4,36,526/-

EXHIBIT P20- TRUE COPY OF THE AUCTION NOTICE DATED 3.2.12 ISSUED TO THE 2ND- PETITIONER DEMANDING RS.4,36,526/

EXHIBIT P21- TRUE COPY OF THE AUCTION NOTICE DATED 3.2.12 ISSUED TO THE IST PETITIONER DEMANDING RS.4,36,526/-

EXHIBIT P22- TRUE COPY OF THE AUCTION NOTICE DATED 3.2.12 ISSUED TO THE 2ND PETITIONER DEMANDING RS.4,36,526/-

RESPONDENTS' EXHIBITS

EXT.R1(a)	:	TRUE COPY OF THE ORDER DATED 21.05.2010 IN APPLICATION NO.363768/09/EK 463757/09/EK OF THE COMMISSION.
EXT.R1(b)	:	TRUE COPY OF THE INTIMATION DATED 08.01.2014.

/TRUE COPY/

P.S. TO JUDGE.

P.R. RAMACHANDRA MENON, J.

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W.P.(C)No.4115 OF 2012

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Dated this the 23rd June, 2014

J U D G M E N T

Exts.P7, P8 and P9 Revision Petitions preferred against Exts.P3, P4 and P5 awards were dismissed as per Exts.P13, P14 and P15 orders by the Kerala Co-operative Tribunal, Thiruvananthapuram holding that the proceedings were barred by limitation and by principles of resjudicata. This in turn is under challenge in this writ petition. When the matter is taken up for consideration, there is nobody to represent the petitioners. The writ petition is dismissed for default.

P.R.RAMACHANDRA MENON
JUDGE

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