

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No. 416 of 2015 (B)

PETITIONER:

**ACHAMMA JOSEPH, AGED 51 YEARS
W/O.JOSEPH ULAHANNAN,
AREEKKAL HOUSE, CHELACHUVAD
P.O., VANNAPURAM, IDUKKI DISTRICT.**

**BY ADVS.SRI.P.V.BABY
SRI.A.N.SANTHOSH**

RESPONDENTS:

- 1. IDUKKI DISTRICT EX-SERVICEMEN CO-OPERATIVE SOCIETY
LTD.NO.1-548
TVS BUILDING, NEAR MOUNT SINAI HOSPITAL, THODUPUZHA
IDUKKI DISTRICT, REPRESENTED BY ITS SECRETARY
PIN-685584.**
- 2. M.M.VARKEY
COMMITTEE MEMBER, IDUKKI DISTRICT EX-SERVICEMEN
CO-OPERATIVE SOCIETY LTD.NO.1-548
THODUPUZHA RESIDING AT MUNDANKAVIL HOUSE
KOTTAKAVALA, KARIMANOOR, P.O.MULAPURAM
THODUPUZHA, IDUKKI DISTRICT-685584.**
- 3. K.RAJU
KAVUMPURACKAL HOUSE, THOMMANKUTHU P.O., KUZHIMATTOM
THODUPUZHA, IDUKKI DISTRICT-685581.**
- 4. C.M.PAUL
CHENDADIYAL HOUSE, VAZHITHALA P.O., THODUPUZHA
IDUKKI DISTRICT-685584.**
- 5. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (G)
IDUKKI-685603.**

R5 BY GOVERNMENT PLEADER SRI. T.R. RAJESH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT. P1 :** TRUE COPY OF THE RELEVANT PAGES OF THE BYELAW OF R1 SOCIETY CONTAINING CLAUSE 6 AT PAGES 1-3.
- EXT. P2 :** TRUE COPY OF THE CERTIFICATE DT.29-3-1993 ISSUED FROM THE ARMY HEAD QUARTERS TO THE PETITIONER.
- EXT. P3 :** TRUE COPY OF THE COVERING LETTER DT.29-3-1993 BY WHICH ISSUED BY THE ARMY HEAD QUARTERS BY WHICH EXT.P2 WAS FORWARDED.
- EXT. P4 :** TRUE COPY OF THE CERTIFICATE DT.17-12-14 ISSUED BY THE ZILA, SAINIK WELFARE OFFICER, IDUKKI.
- EXT. P5 :** TRUE COPY OF THE IDENTITY CARD ISSUED BY R1 TO THE PETITIONER.
- EXT. P6 :** TRUE COPY OF THE IDENTITY CARD ISSUED BY THE KERALA STATE EX-SERVICE LEAGUE TRIVANDRUM TO THE PETITIONER.
- EXT. P7 :** TRUE COPY OF THE NOTICE DT.7-11-14 ISSUED BY THE R5.
- EXT. P8 :** TRUE COPY OF THE EXPLANATION DT.NIL SUBMITTED TO THE ENQUIRY OFFICER BY THE PETITIONER.
- EXT. P9 :** TRUE COPY OF THE NOTICE DT.16-12-14 ISSUED BY R5.

RESPONDENT(S)' EXHIBITS:NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 416 OF 2015

Dated this the 07th day of January, 2015

JUDGMENT

Ext. P9 notice to show cause as to why the membership of the petitioner in the first respondent society shall not be cancelled is impugned. The petitioner asserts that Ext. P9 notice is ill motivated in the wake of Exts. P2, P3, P4 and P6 documents. The petitioner is at liberty to produce these documents before the fifth respondent at the time of the hearing. I am sure that the fifth respondent will advert to all the documents in the proper perspective before coming to a just conclusion.

The writ petition at this juncture is premature and the same is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS