

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

WP(C).No. 1196 of 2015 (Y)

PETITIONER:

P.BALAN, AGED 72 YEARS,
PRESIDENT
THE MAYYIL WEAVERS INDUSTRIAL (WORK SHOP)
CO-OPERATIVE SOCIETY LTD. NO.H.L.IND(C)24,
A.K.G.NAGAR, MAYYIL P.O.
KANNUR DISTRICT-670 602.

BY ADVS.SRI.K.MOHANAKANNAN
SMT.A.R.PRAVITHA

RESPONDENT(S):

1. KERALA STATE CO-OPERATIVE CHIEF ELECTION COMMISSIONER
THIRUVANANTHPAURAM-695 001.
2. THE ELECTORAL OFFICER
KERALA STATE HANDLOOM WEAVERS CO-OPERATIVE SOCIETY LTD
DISTRICT INDUSTRIES CENTRE
THIRUVANANTHPAURAM-695 001.
3. THE RETURNING OFFICER
KERALA STATE HANDLOOM WEAVERS CO-OPERATIVE
SOCIETY LTD NO.H.232,
HANTEX, DEPUTY REGISTRAR, DISTRICT INDUSTRIES CENTRE
THIRUVANANTHPAURAM-695 001.
4. KERALA STATE HANDLOOM WEAVERS CO-OPERATIVE SOCIETY LTD.
NO.H.232, HANTEX,
REPRESENTED BY ITS MANAGING DIRECTOR,
THIRUVANANTHPAURAM-695 001.

R BY GOVERNMENT PLEADER SRI.D.SOMASUNDARAM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
13-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 1196 of 2015 (Y)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1. TRUE COPY OF THE VOTERS LIST PUBLISHED IN 2010.

EXT.P2. TRUE COPY OF THE ARC 97/2010 FILED BEFORE THE CO-OPERATIVE
TRIBUNAL, THIRUVANANTHAPURAM.

EXT.P3. TRUE COPY OF THE ORDER NO.E(1)/5233/2014/SCEC DATED 17/12/2014.

EXT.P4. TRUE COPY OF THE DRAFT VOTERS LIST PUBLISHED BY THE 4TH
RESPONDENT

EXT.P5. TRUE COPY OF THE OBJECTION FILED BY THE PETITIONER BEFORE THE 3RD
RESPONDENT ON 26/12/2014.

EXT.P6. TRUE COPY OF THE FINAL VOTERS LIST PUBLISHED ON 29/12/2014.

EXT.P7. TRUE COPY OF THE DRAFT AUTHORIZATION FORM PUBLISHED BY THE 3RD
RESPONDENT

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.1196 of 2015

Dated this the 13th day of January, 2015

J U D G M E N T

The election is mid-way going by Ext.P3 calendar. Even the nomination of the candidates have been accepted. Only the polling and the declaration of results remain. It will be inequitable to interfere with the process of election in this writ petition.

2. I am fortified in this view by the decision reported in Shri Sant Sadguru Janardan Swami (Moingiri Maharaj) Sahakari Dugdha Utpadak Samstha and another v. State of Maharashtra and others [(2001) 8 SCC 509]. All the contentions now urged by the petitioner can be raised in an election petition in terms of Section 69 of the Kerala Co-operative Societies Act, 1969. I decline jurisdiction.

The writ Petition is dismissed.

Sd/-
V.CHITAMBARESH,
Judge.

nj.