

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 16TH DAY OF JANUARY 2015/26TH POUSHA, 1936

WP(C).No. 1652 of 2015 (F)

PETITIONER(S) :

**KANNUR DISTRICT WHOLESALE CO-OPERATIVE CONSUMERS'
STORES LTD.NO.1031, KANNUR,
REPRESENTED BY ITS MANAGING DIRECTOR B.P.KISHORE,
AGED 63 YEARS, S/O.K.V.KUNHIRAMAN NAIR.**

**BY ADVS.SRI.M.SASINDRAN
SRI.V.VENUGOPAL**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF CO-OPERATION, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. THE SPECIAL DEPUTY TAHSILDAR,
(REVENUE RECOVERY), KANNUR - 670 001.**
- 3. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM - 695 001.**
- 4. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,
KANNUR - 670 001**

BY GOVERNMENT PLEADER SRI.SHYSON.P.MANGUZHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: A TRUE COPY OF THE ORDER DATED 04-02-2010 AS
 G.O(MS)NO.74/2010.**
- EXT.P2: A TRUE COPY OF THE REPRESENTATION DATED 13-02-2010
 SUBMITTED BY THE PETITIONER SOCIETY BEFORE
 THE 1ST RESPONDENT.**
- EXT.P3: A TRUE COPY OF THE COMMUNICATION DATED 03-02-2011 ISSUED BY
 THE 1ST RESPONDENT**
- EXT.P4: A TRUE COPY OF THE REPRESENTATION SUBMITTED BY
 THE PETITIONER SOCIETY DATED 27-09-2011.**
- EXT.P5: A TRUE COPY OF THE REPRESENTATION SUBMITTED BY
 THE PETITIONER SOCIETY BEFORE THE 1ST RESPONDENT
 ON 16-07-2014.**
- EXT.P6: A TRUE COPY OF THE DEMAND NOTICE FORM 1 DATED 27-11-2014
 ISSUED BY THE 2ND RESPONDENT.**
- EXT.P6(A): A TRUE COPY OF THE DEMAND NOTICE FORM 10 DATED 27-11-2014
 ISSUED BY THE 2ND RESPONDENT.**
- EXT.P7: A TRUE COPY OF THE COMMUNICATION DATED 16-12-2014.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.1652 OF 2015

Dated this the 16th day of January, 2015

J U D G M E N T

The limited prayer of the petitioner who is a Co-operative society facing revenue recovery proceedings is for a direction to the 1st respondent to consider and pass orders on Exts.P4 and P5 representations preferred by the petitioner before the 1st respondent, seeking for a waiver of interest in respect of amounts that are due from the petitioner.

2. I have heard Sri.M.Sasindran, the learned counsel for the petitioner and Sri.Shyam P.Manguzha, the learned Government Pleader for the respondents.

3. On a consideration of the facts and circumstances of the case and submissions made across the bar, I dispose the writ petition with a direction to the 1st respondent to consider and pass orders on Exts.P4 and P5 representations within a period of two months from the date of receipt of a copy of this judgment after hearing the petitioner. Recovery steps initiated against the petitioner by Exts.P6 and P6(a) notices shall be kept in abeyance till such time as orders are passed by the 1st respondent as aforesaid and communicated to the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

