

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

THURSDAY, THE 29TH DAY OF JANUARY 2015/9TH MAGHA, 1936

WP(C).No. 1781 of 2015 (W)

PETITIONER:

JAMES A.V., S/O.VARGHESE, ALUKKA HOUSE,
ANICADU, AVOLY P.O., MUVATTUPUZHA,
ERNAKULAM DISTRICT (WORKING AS CASHIER/
MANAGING DIRECTOR-IN-CHARGE (UNDER SUSPENSION)
MUVATTUPUZHA RUBBER MARKETING CO-OPERATIVE
SOCIETY LTD.NO.3094 , MUVATTUPUZHA,
ERNAKULAM DISTRICT, PIN-686661.)

BY ADVS.SRI.V.G.ARUN
SRI.T.R.HARIKUMAR

RESPONDENTS:

1. THE REGISTRAR OF CO-OPERATIVE SOCIETIES
THIRUVANANTHAPURAM-695001.
2. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), ERNAKULAM-682030.
3. THE MUVATTUPUZHA RUBBER MARKETING
CO-OPERATIVE SOCIETY LTD.NO.3094,
REPRESENTED BY ITS MANAGING DIRECTOR,
MUVATTUPUZHA, ERNAKULAM DISTRICT, PIN-686661.
4. THE ADMINISTRATIVE COMMITTEE OF THE
MUVATTUPUZHA RUBBER MARKETING
CO-OPERATIVE SOCIETY LTD.NO.3094
REPRESENTED BY ITS CONVENOR,
MUVATTUPUZHA, ERNAKULAM DISTRICT-686661.
5. THE STATE CO-OPERATIVE ELECTION COMMISSION
THIRUVANANTHAPURAM-695001.
6. P.V.MATHAI, PULIKKASERRIL HOUSE,
KEEZHOOR P.O., PAMBAKUDA,
MUVATTUPUZHA, ERNAKULAM DISTRICT-686605.

R3 & 4 BY ADV. SRI.JOHN NUMPELI (JUNIOR)
R3 & 4 BY ADV. SMT.K.M.MINIMOL
BY GOVERNMENT PLEADER SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29-01-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT. P1 : TRUE COPY OF THE INTERIM ORDER IN WPC 25322 OF 2014 DT.12-11-14.
- EXT. P2 : TRUE COPY OF THE ELECTION NOTIFICATION NO.E1/5397/2014/SCEC DT.18-12-14.
- EXT. P3 : TRUE COPY OF THE RELEVANT PORTION OF THE FEEDER CATEGORY SUB RULES OF R3 SOCIETY.
- EXT. P4 : TRUE COPY OF THE COMMUNICATION ISSUED BY R4 TO THE PETITIONER DT.1-12-14.
- EXT. P5 : TRUE COPY OF THE FIR DT.11-8-14 IN CRIME 2/14 OF THE VACB, ERNAKULAM UNIT.
- EXT. P6 : TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE SUB INSPECTOR OF POLICE, MUVATTUPUZHA DT.2-1-15.
- EXT. P7 : TRUE COPY OF THE NOTICE ISSUED BY R4 TO THE PETITIONER DT.5-1-2015.
- EXT. P8 : TRUE COPY OF THE EXPLANATION SUBMITTED BY THE PETITIONER BEFORE R4 DT.6-1-15.
- EXT. P9 : TRUE COPY OF THE SUSPENSION ORDER ISSUED BY R4 TO THE PETITIONER DT.14-1-2015.
- EXT. P10 : TRUE COPY OF THE NOTICE ISSUED BY R4 TO R5 DT.14-1-2015.
- EXT. P11 : TRUE COPY OF THE CHARGE MEMO ISSUED BY R4 TO THE PETITIONER DT.14-1-2015.

RESPONDENT(S)' EXHIBITS

- EXHIBIT R3(A) : THE TRUE COPY OF THE REPLY LETTER DATED 20.01.2015.
- EXHIBIT R3(B) : THE TRUE COPY OF THE ORDER DATED 09.10.2014 ISSUED BY THE JOINT REGISTRAR OF CO-OPERATIVE SOCEITIES (GENERAL), ERNAKULAM
- EXHIBIT R3(C) : COMPLAINT DATED 01.01.2015 GIVEN BY MR. SAJI MATHEW.,

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 1781 OF 2015

Dated this the 29th day of January, 2015

JUDGMENT

The election is midway going by Ext.P2 calender of events. Final voters list was published on 09.01.2015 and the list of candidates was published on 21.01.2015. All that remains is the polling slated on 07.02.2015 a week away.

2. There are allegations by the petitioner and counter allegations by the fourth respondent who is the Convener of the Administrative Committee. The life of the Administrative Committee is only till the new Committee assumes office after election. The status quo as regards the existing employees in the third respondent Society shall be maintained in the meanwhile.

3. All other contentions are left open.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**