

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE V.CHITAMBARESH**

**THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936**

**W.P.(C).No. 2231 of 2015 (D)**  
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**PETITIONER :**  
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**SAJU PAUL, AGED 48 YEARS  
PRESIDENT  
MOOKKANNUR KSHEEROLPADAKA  
CO-OPERATIVE SOCIETY LTD.  
E 126(D), APCOS, ANGAMALY - 683 577  
RESIDING AT MATTEKKAT HOUSE, MOOKKANNUR P.O.  
ANGAMALY - 683 577, ERNAKULAM DISTRICT.**

**BY ADV. SRI.R.RAJESH RAJAGOPALA PILLAI**

**RESPONDENT(S):**  
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- 1. RETURNING OFFICER,  
ERNAKULAM REGIONAL CO-OPERATIVE MILK  
PRODUCER'S UNION LTD.  
NO.E150(D), P.B.NO.2212, EDAPPALLY  
ERNAKULAM-682 024.**
- 2. ERNAKULAM REGIONAL CO-OPERATIVE MILK  
PRODUCER'S UNION LTD., NO.E150(D),  
P.B.NO.2212, EDAPPALLY, ERNAKULAM-682 024  
REPRESENTED BY ITS SECRETARY.**
- 3. REGISTRAR OF CO-OPERATIVE SOCIETIES CO-OP BANK TOWERS,  
PALAYAM, THIRUVANANTHAPURAM. PIN 695 010**

**R2 AND R3 BY GOVERNMENT PLEADER SRI.S.JAMAL**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
22-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**VS**

**WP(C).No. 2231 of 2015 (D)**  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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- EXT P1 :** BYELAW OF THE 2ND RESPONDENT.
- EXT P2 :** TRUE COPY OF THE ORDER DATED 06-01-2015 ISSUED BY THE  
1ST RESPONDENT REJECTING THE NOMINATION MADE BY THE  
PETITIONER.
- EXT P3 :** TABLE SHOWING THE PRODUCTION OF MILK FOR THE ENTIRE YEAR  
2014.
- EXT P4 :** MILK BILLS OF THE PETITIONER'S SOCIETY
- EXT P5 :** REPRESENTATION DATED 09-01-2015.

**RESPONDENT(S)' EXHIBITS**  
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**NIL**

**/TRUE COPY/**

**PA TO JUDGE**

**VS**

**V.CHITAMBARESH, J**

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**W.P.(C) No.2231 of 2015**  
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Dated this the 22nd day of January, 2015

**JUDGMENT**

The nomination put in by the petitioner has been rejected on the ground that the society has failed to supply minimum quantity of milk during the preceding year as stipulated in Ext.P1 Byelaw. Ext.P2 order rejecting the nomination is assailed in this writ petition under Article 226 of the Constitution of India. An effective remedy lies after the election under Section 69 of the Kerala Co-operative Societies Act, 1969. **[Shri.Sant Sadguru Janardan Swami (Moingiri Maharaj), Sahakari Dugdha, Utpadak Sanstha and Another V. State of Maharashtra and Others, [(2001)8 Supreme Court Cases 509]**. I do not want to halt the process of election in the mid way especially when the poll is scheduled to take place on 24.1.2015.

The writ petition is dismissed without prejudice

to the right of the petitioner as above.

Sd/-  
**V.CHITAMBARESH**  
**JUDGE**

/TRUE COPY/

PA TO JUDGE

VS