

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. 2240 of 2015 (D)

PETITIONER :

**TRICHUR URBAN CO-OPERATIVE BANK LTD. NO.87,
MISSION QUARTERS, THRISSUR
REPRESENTED BY ITS GENERAL MANAGER IN CHARGE,
SMT.SATHI DEVI.**

BY ADV. SRI.C.D.DILEEP, SC,TRICHUR URBAN CO-OPERATIVE BANK

RESPONDENT(S) :

- 1. THE ASSISTANT REGISTRAR (GENERAL),
CO-OPERATIVE SOCIETIES, SAHAKARANA BHAVAN,
AYYANTHOLE, THRISSUR, PIN 680 003**
- 2. THE JOINT REGISTRAR (GENERAL),
CO-OPERATIVE SOCIETIES, CIVIL LINE,
AYYANTHOLE, THRISSUR, PIN 380 003.**
- 3. BENOY, S/O.SUDAKARAN, ATHIYARATH HOUSE,
MUKUNDAPURAM TALUK, KURUMBILAVU VILLAGE,
PAZHUVIL DESAM, THRISSUR,
PIN 680 564**
- 4. SUDAKARAN, S/O VELAYUDHAN, ATHIYARATH HOUSE,
MUKUNDAPURAM TALUK, KURUMBILAVU VILLAGE,
PAZHUVIL DESAM, THRISSUR, PIN 680 564**

R1 AND R2 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

W.P.(C).No. 2240 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS :

- EXT.P1 : TRUE COPY OF THE AWARD IN ARC.2784/2001 DATED 28.09.2001 IN FAVOUR OF THE PETITIONER BANK.**
- EXT.P2 : TRUE COPY OF THE PETITION DATED 18.08.2012 FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT TO TRANSFER THE EXECUTION PETITION E.P.1658/2002 TO THE SUB COURT, IRINJALAKUDA, TRISSUR DISTRICT.**
- EXT.P3 : TRUE COPY OF THE CERTIFICATE ISSUED BY THE 1ST RESPONDENT DATED 25.06.2014 IN FORM NO.12 IN FAVOUR OF EXECUTING THE AWARD THROUGH CIVIL COURT.**
- EXT.P4 : TRUE COPY OF THE 2ND PETITION DATED 11.12.2014 FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT TO TRANSFER THE EXECUTION PETITION E.P.1658/2002 TO THE SUB COURT, IRINJALAKUDA, THRISSUR DISTRICT.**

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

/TRUE COPY/

PA TO JUDGE

VS

V.CHITAMBARESH, J

W.P.(C) No.2240 of 2015

Dated this the 22nd day of January, 2015

JUDGMENT

The petitioner seeks to execute the award in ARC.2784/2001 by recourse to Section 76 of the Kerala Co-operative Societies Act, 1969. The petitioner has already obtained a certificate in terms of Rule 72 of the Kerala Co-operative Societies Rules and seeks a transfer of the Execution Petition to the Civil Court. Ext.P4 representation submitted by the petitioner in this regard is pending consideration with the first respondent to which respondents 3 and 4 are also parties.

2. I direct the first respondent to consider Ext.P4 application with notice to the petitioner as well as respondents 3 and 4. The need full shall be done within a period of two months from the receipt of the copy of the judgment.

The writ petition is disposed of.

Sd/-
V.CHITAMBARESH
JUDGE

VS

