

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

TUESDAY, THE 29TH DAY OF SEPTEMBER 2015/7TH ASWINA, 1937

WP(C).No. 3174 of 2014 (V)

PETITIONER :

SIBI MATHEW, AGED 46 YEARS,
S/O.MATHEW, PULPRAYIL HOUSE, MANJOOR.P.O.,
KOTTAYAM DISTRICT.

BY ADVS.SRI.K.K.CHANDRAN PILLAI (SR.)
SRI.P.C.HARIDAS

RESPONDENTS:

1. STATE CO-OPERATIVE ELECTION COMMISSION,
THIRUVANANTHAPURAM-695001.
2. REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM-695001.
3. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,
KOTTAYAM-686001.
4. RETURNING OFFICER AND INSPECTOR OF CO-OPERATIVE SOCIETIES,
THALAYAZHAM UNIT,
OFFICE OF THE ASSISTANT REGISTRAR
OF CO-OPERATIVE SOCIETIES (GENERAL),
VAIKOM-686141.
5. KADUTHURUTHY URBAN CO-OPERATIVE BANK LTD,
NO.K-399, KADUTHURUTHY.P.O.,
PIN-686604, REPRESENTED BY ITS GENERAL MANAGER.
6. SUNU GEORGE,
VETTIKATTUPARAMBIL HOUSE, MANJOOR.P.O.,
KOTTAYAM DISTRICT.
7. MANJOOR SERVICE CO-OPERATIVE BANK LTD.NO.K-73,
MANJOOR.P.O, REPRESENTED BY ITS SECRETARY.

R6 BY ADV. SRI.P.N.MOHANAN

R5 BY SC-SRI.V.G.ARUN

R5 BY ADV. SRI.T.R.HARIKUMAR

R3 BY GOVERNMENT PLEADER SRI.RAFEEQ.V.K

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANIL K.NARENDHRAN, J.

W.P.(C)No.3174 of 2014

Dated this the 29th day of September, 2015

JUDGMENT

The petitioner, who is a member of the 5th respondent Primary Credit Society, has approached this Court in this Writ Petition seeking a declaration that the nomination submitted by the 6th respondent is not valid, as per Section 28(2) of the Kerala Co-operative Societies Act read with Rule 44(1)(a) of the Kerala Co-operative Societies Rules and the same is liable to be rejected. The petitioner has also sought for other consequential reliefs.

2. Today when the case was taken up for consideration, the learned Standing Counsel for the 5th respondent Society would submit that now the dispute regarding the acceptance of the nomination of the 6th respondent is pending consideration in an arbitration proceedings before the Arbitration Court.

In such circumstances, this Writ Petition is dismissed, leaving open all the contentions raised by both sides.

Sd/-

ANIL K.NARENDHRAN, JUDGE

skj