

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

THURSDAY, THE 26TH DAY OF FEBRUARY 2015/7TH PHALGUNA, 1936

WP(C).No. 3051 of 2015 (F)

PETITIONER:

M.M.BABU, S/O. M.K.MADHAVAN, VICE PRESIDENT,
MANAGING COMMITTEE, KERALA AGRICULTURAL
UNIVERSITY CO-OPERATIVE SOCIETY LTD.NO.R-162,
MANNUTHY, THRISSUR-680 065, RESIDING AT
MUNDANAMTHUNDATHIL HOUSE, MADAKKATHARA P.O.,
MASTERS NAGAR, VELLANIKKARA, THRISSUR-680 651.

BY ADVS.SRI.K.C.SANTHOSHKUMAR
SMT.K.K.CHANDRALEKHA

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY THE
SECRETARY TO GOVERNMENT, CO-OPERATIVE
DEPARTMENT, GOVERNMENT OF KERALA
THIRUVANANTHAPURAM- 695 001.
2. THE KERALA CO-OPERATIVE ELECTION COMMISSION
THIRUVANANTHAPURAM.
3. THE ELECTORAL OFFICER (ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES (GENERAL), KERALA AGRICULTURAL
UNIVERSITY CO-OPERATIVE SOCIETY LTD., THRISSUR-3.
4. THE RETURNING OFFICER (UNIT INSPECTOR, OLLUKKARA)
KERALA AGRICULTURAL UNIVERSITY CO-OPERATIVE
SOCIETY LTD., THRISSUR-3.
5. KERALA AGRICULTURAL UNIVERSITY CO-OPERATIVE SOCIETY LTD.
NO.R-162, MANNUTHY, THRISSUR-680 651
REPRESENTED BY ITS SECRETARY.
6. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
THRISSUR.
- ADDL.7. JAYAKUMAR K.S., SENIOR GRADE ASSISTANT
GENERAL ADMINISTRATION, KERALA AGRICULTURAL
UNIVERSITY, VELLANIKKARA, KAU P.O., THRISSUR DISTRICT 680 656.

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ADDL. 8. JIJU F. KATTIKARAN, SENIOR GRADE ASSISTANT,
GENERAL ADMINISTRATION, KERALA AGRICULTURAL
UNIVERSITY, VELLANIKKARA, KAU P.O., THRISSUR DISTRICT 680 656.

ADDL R7 AND R8 ARE IMPEADED AS PER ORDER DATED 26.02.2015 IN IA NO.
2375/2015.

R7 & 8 BY ADV. SRI.V.G.ARUN
R7 & 8 BY ADV. SRI.T.R.HARIKUMAR
R5 BY ADV. SMT.M.M.DEEPA
BY SPECIAL GOVERNMENT PLEADER SRI. D. SOMASUNDARAM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26-02-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 : COPY OF THE SCHEDULE ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P2 : COPY OF THE ORDER DTD.23.01.2015 OF THE 3RD RESPONDENT.
- EXHIBIT P3 : COPY OF THE RELEVANT PAGES OF THE BYE-LAW OF THE 5TH RESPONDENT SOCIETY.
- EXHIBIT P4 : COPY OF THE JUDGMENT DTD.19.11.2014 IN WPC NO.12531/2012 OF THIS HON'BLE COURT.
- EXHIBIT P5 : COPY OF THE RELEVANT PAGES OF THE MINUTES OF THE MANAGING COMMITTEE HELD ON 18.12.2014.

RESPONDENT(S)' EXHIBITS

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Dated this the 26th day of February, 2015

JUDGMENT

The disputed votes have been collected in a separate ballot box pursuant to the interim order in this writ petition. Those votes shall be eschewed from counting even though can be made use of in an election petition. The results shall also be published enabling the elected candidates to assume office. The non inclusion of the disputed voters can as well be raised in the election petition if any filed.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd