

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYAISHTA, 1937

WP(C).No. 3829 of 2015 (C)

PETITIONER:

P.L.LATHA,
ATTENDER,
KAIPPAMANGALAM MALSYA THOZHILALI VIKASANA KSHEMA SAHAKARAN
SANGAM R-13/87, KAZHIMBRAM POST,
THRISSUR DISTRICT.

BY ADV. SRI.V.MADHUSUDHANAN

RESPONDENTS:

1. KAIPPAMANGALAM MALSYA THOZHILALI VIKASANA KSHEMA
SAHAKARAN SANGAM R 13/87,
KAZHIMBRAM POST, THRISSUR DISTRICT 680 001
REPRESENTED BY ITS SECRETARY
2. THE JOINT DIRECTOR OF FISHERIES, ERNAKULAM 682 001
3. THE ASSISTANT REGISTRAR OF FISHERIES, THRISSUR 680 001

R1 BY ADV. SRI.M.SASINDRAN
R BY SRI. G. GOPAKUMAR, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
29-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1 A TRUE COPY OF THE ORDER ISSUED TO THE PETITIONER
INTIMATING THE REGULARIZING IN SERVICE.

EXHIBIT P2 A TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES AMENDED
RULES, 2006.

EXHIBIT P3 A TRUE COPY OF THE AUDIT REPORT OF THE YEAR 2005-06 OF THE
1ST RESPONDENT.

EXHIBIT P4 A TRUE COPY OF THE JUDGMENT REPORTED IN 2000(3) KLT 389
(ELAMBAL SERVICE CO-OPERATIVE BANK LTD, VS. GOVERNMENT OF KERALA).

EXHIBIT P5 A TRUE COPY OF THE RELEVANT EXTRACT FROM THE STAFF PATTERN
OF THE SOCIETY.

EXHIBIT P5(a) A TRUE COPY OF THE ORDER ISSUED BY THE REGISTRAR
CLASSIFYING THE SOCIETY AS CLASS V AND SANCTIONING THE POST OF
SECRETARY AND ATTENDER.

EXHIBIT P6 A TRUE COPY OF THE RESOLUTION DATED 24-11-2010 OF THE
SOCIETY.

EXHIBIT P7 TRUE COPY OF THE REQUEST SUBMITTED BEFORE THE FISHERIES
JOINT DIRECTOR, ERNAKULAM PAYING FOR GRANTING APPROVAL FOR THE
APPOINTMENT OF THE PETITIONER AND THE SECRETARY.

EXHIBIT P8 A TRUE COPY OF THE RESOLUTION DATED 21-08-2009 WHICH IS
REFERRED IN EXHIBIT P6.

EXHIBIT P9 A TRUE COPY OF THE JUDGMENT DATED 14-03-2014 IN W.P.(C) NO
25352 OF 2013.

EXHIBIT P10 A TRUE COPY OF THE REPRESENTATION DATED 21-07-2014
SUBMITTED BY THE PETITIONER BEFORE THE SOCIETY.

EXHIBIT P11 A TRUE COPY OF THE RESOLUTION DATED 25-07-2014 ADOPTED BY
THE SOCIETY RESOLVING TO REQUEST THE FISHERIES JOINT DIRECTOR TO
APPROVE THE APPOINTMENT OF THE PETITIONER.

RESPONDENTS' EXHIBITS : NIL

/True Copy/

P.A to Judge.

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 3829 of 2015 (C)

Dated this the 29th day of May, 2015.

JUDGMENT

It is submitted by both sides that the issue involved in this case is covered in favour of the petitioner by Ext.P9 judgment dated 13.03.2014.

In the light of the ratio laid down in the aforesaid judgment, this writ petition is also allowed.

sd/- DAMA SESHADRI NAIDU, JUDGE.

W.P.(C). No.

-2-