

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

FRIDAY, THE 20TH DAY OF FEBRUARY 2015/1ST PHALGUNA, 1936

WP(C).No. 4386 of 2015 (W)

PETITIONER:

JAYAKRISHNAN K., AGED 43, S/O KRISHNAN,
KRISHNA BHAVANAM, MUTHUKULAM SOUTH P.O.,
HARIPPAD, ALAPPUZHA.

BY ADV. SRI. MANU ROY

RESPONDENTS:

1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF CO-OPERATION,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.
2. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,
CO-OPERATIVE SOCIETIES JOINT REGISTRAR OFFICE,
ALAPPUZHA.

BY GOVERNMENT PLEADER SRI. T.R. RAJESH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 : TRUE COPY FO THE CERTIFICATE DATED 15.12.2014.
EXHIBIT P2 : TRUE COPY OF THE WRITTEN OBJECTION DATED 26.12.2014.
EXHIBIT P3 : TRUE COPY OF REPRESENTATION DATED 28.1.2015.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 4386 OF 2015

Dated this the 20th day of February, 2015

JUDGMENT

The contention of the petitioner is that one Mr. M. Sanal Kumar had dual membership and hence disqualified to conduct the election. The fact remains that the election is over on 13.12.2014 and that the petitioner has an effective remedy to file an election petition under Section 69 of the Kerala Co-operative Societies Act. Moreover the said Mr. M. Sanal Kumar has not been impleaded in this writ petition and it will not be advisable to pass any order without his junction adverse to his interest.

The Writ Petition is hence dismissed without prejudice to the right of the petitioner as above.

**V. CHITAMBARESH
JUDGE**

ncd