

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

WP(C).No. 4542 of 2015 (P)

PETITIONERS:

1. **KUMAR V.O., AGED 46 YEARS
S/O. VELAYUDHAN C, PRADEEP BHAVAN
MUNDAKKAL WEST, KOLLAM. (MEMBERSHIP NO. 4454, SENIOR
ASSISTANT, ELECTRICAL CIRCLE, KSEB, POWER HOUSE,
KOLLAM)**
2. **VEERENDRA KUMAR V., AGED 48 YEARS
CHITTADEESWARATHUPADINJATTATHIL,
AYATHIL P.O., KOLLAM - 691 021
OVERSEER, TRANSFORMER, FILED REPAIRING UNIT UNDER
ELECTRIC CIRCLE, KOLLAM**

**BY ADVS.SRI.PRATHEESH.P
SMT.S.SEETHA
SMT.NIMA JACOB**

RESPONDENTS:

1. **THE REGISTRAR OF CO-OPERATIVE SOCIETIES
CO-OPERATIVE BUILDING, THIRUVANANTHAPURAM
695 001, REPRESENTED BY ITS SECRETARY**
2. **THE STATE CO-OPERATIVE ELECTION COMMISSION,
THIRUVANANTHAPURAM - 695 001
REPRESENTED BY ITS SECRETARY**
3. **THE ELECTROL OFFICER, ELECTRICITY BOARD EMPLOYEES
CO-OPERATIVE SOCIETIES LTD., NO. Q 232, POWER HOUSE,
KOLLAM (ASSISTANT REGISTRAR, CO-OPERATIVE SOCIETIES
(GENERAL), KOLLAM) - 691 001**
4. **THE RETURNING OFFICER, ELECTRICITY BOARD EMPLOYEES
CO-OPERATIVE SOCIEITES LTD. NO. Q 232
POWER HOUSE, KOLLAM - 691 001**
5. **THE ELECTRICITY BOARD EMPLOYEES CO-OPERATIVE
SOCIETIES LTD, NO. Q 232, POWER HOUSE, KOLLAM - 691 001
REPRESENTED BY ITS SECRETARY**

R1 & R2 BY GOVERNMENT PLEADER SRI. T.R. RAJESH

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT-P1- A TRUE COPY OF THE ELECTION NOTIFICATION NO. (1)/
134/2015/S.C.E.C DATED 12.01.2015 ISSUED BY THE 2ND
RESPONDENT**
- EXHIBIT-P2- A TRUE COPY OF THE RELEVANT PAGE OF CLAUSE 9 OF THE BYE-
LAW**
- EXHIBIT-P3- A TRUE COPY OF THE COMPLAINT FILED BY THE 1ST
PETITIONER BEFORE THE 3RD RESPONDENT DATED 22.01.2015**
- EXHIBIT-P4- A TRUE COPY OF THE LETTER ISSUED BY THE 3RD RESPONDENT
TO THE PETITIONER DATED 29.01.2015**
- EXHIBIT-P5- THE COPY OF THE LIST OF THE MEMBERS WHO ARE PRESENTLY
WORKING OUTSIDE THE JURISDICTION OF THE SOCIETY BUT
INCLUDED IN THE FINAL VOTERS LIST.**
- EXHIBIT-P6- THE COPY OF THE REPRESENTATION FILED BY THE 2ND
PETITIONER BEFORE THE 2ND RESPONDENT DATED 30.1.2015**

RESPONDENT(S)' EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 4542 OF 2015

Dated this the 12th day of February, 2015

JUDGMENT

The final voters list was published as early as on 29.01.2015 as per Ext. P1 election calender. The list of candidates has also been published on 09.02.2015 and only the polling and the declaration of results remain. It will be inequitable to interfere with the election process at this juncture. The petitioners are free to question the voters list and the consequent election in an election petition. The remedy lies under Section 69 of the Kerala Co-operative Societies Act, 1969.

2. I decline jurisdiction following **Shri. Sant Sadguru Janardan Swami (Moingiri Maharaj) Sahakari Dugdha Utpadak Sanstha and Another v. State of Maharashtra and Others [(2001) 8 SCC 509]**.

The writ petition is dismissed.

**V. CHITAMBARESH
JUDGE**

DCS