

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

WP(C).No. 4543 of 2015 (P)

PETITIONER:

**K.P.THOMAS, S/O.PAULOSE, AGED 65 YEARS
KOLANIYIL HOUSE, KALLADIKODE (PO), PALAKKAD**

**BY ADVS.SRI.V.G.ARUN
SRI.T.R.HARIKUMAR**

RESPONDENTS:

- 1. KALLADIKODE SERVICE CO-OPERATIVE SOCIETY LTD.7489
REPRESENTED BY ITS SECRETARY, KALLADIKODE
PALAKKAD - 678 596**

*** NAME OF FIRST RESPONDENT CORRECTED AS:**

**KALLADIKODE SERVICE CO-OPERATIVE BANK LTD.NO.7489
CORRECTED AS AS PER ORDER DATED 19.02.2015 IN IA 2531/15.**

- 2. THE ELECTORAL OFFICER OF KALLADIKODE SERVICE CO-OPERATIVE
SOCIETY LTD.,
[THE ASSISTANT REGISTRAR (GENERAL) OF CO-OPERATIVE SOCIETIES
MANNARKAD, PALAKKAD - 678 582.]**
- 3. THE UNIT INSPECTOR OF KALLADIKODE SERVICE CO-OPERATIVE `
SOCIETY LTD
[OFFICE OF THE ASSISTANT REGISTRAR (GENERAL) OF CO-OPERATIVE
SOCIETITES
MANNARKAD, PALAKKAD - 678 582]**
- 4. THE STATE CO-OPERATIVE ELECTION COMMISSION
THIRUVANANTHAPURAM - 695001**

**R1 BY ADV.SRI.V.M.KURIAN
R4 BY GOVERNMENT PLEADER SRI. GIKKU JACOB**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
04-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 4543 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1- TRUE COPY OF THE ELECTION NOTIFICATION DATED 27.1.2015

**EXT.P2- TRUE COPY OF HTE CERTIFICATE DATED 31.12.2014
REGISTERING BYELAW AMENDMENT**

**EXT.P3- TRUE COPY OF THE OBJECTION DATED 4.2.2015 SUBMITTED BY
CERTAIN MEMBERS OF THE SOCIETY.**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 4543 OF 2015

Dated this the 4th day of March, 2015

JUDGMENT

The Election Commission has since withdrawn the election notification by order dated 16.02.2015. Fresh election has necessarily to conform to Sections 16A and 19A of the Kerala Co-operative Societies Act and Rule 18A of the Rules framed thereunder.

2. The possibility of including the members of the existing Managing Committee in the Administrative Committee shall also be explored. This is ofcourse subject to the condition that no proceedings under Sections 65 or 66 of the Kerala Co-operative Societies Act are pending against them.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS