

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

WP(C).No. 4569 of 2015 (U)

PETITIONER:

VAKAYAD KSHEEROLAPADAKA SAHAKARANA
SANGHAM LTD NO.139D APCOS, VAKAYAD P.O.,
NADUVANNUR (VIA), KOZHIKODE DISTRICT,
REPRESENTED BY ITS HONOURARY SECRETARY RAJAN.P.T.

BY ADVS. SRI. T. A. SHAJI (SR.)
SMT. NAMITHA JYOTHISH
SRI. V. VINCENT DIDACOSE

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY
THE SECRETARY TO GOVERNMENT
ANIMAL HUSBANDRY AND DAIRY DEVELOPMENT
DEPARTMENT, THIRUVANANTHAPURAM, PIN 695001.
2. THE DEPUTY DIRECTOR, DAIRY DEVELOPMENT,
CIVIL STATION, KOZHIKODE-20.
3. C. RENJITH, CHATHANARI HOUSE, VAKAYAD P.O.,
KOZHIKODE DISTRICT PIN 673 614.

BY GOVERNMENT PLEADER SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE MEMO OF CHARGES DATED 11.11.2013 SERVED ON THE 3RD RESPONDENT.
- EXHIBIT P2 : TRUE COPY OF THE FINAL REPORT/CHARGE SHEET DATED 30.10.2013 IN CRIME NO.625/13 OF BALUSSERY POLICE STATION.
- EXHIBIT P3 : TRUE COPY OF THE RESOLUTION OF THE PETITIONER SOCIETY ALONG WITH THE REQUEST AND COVERING LETTER DATED 10.09.2014.
- EXHIBIT P4 : TRUE COPY OF THE ORDER DATED 18.10.2014 OF THE 2ND RESPONDENT DECLINING APPROVAL FOR THE CONTINUE SUSPENSION AND DIRECTING TO REINSTATE THE 3RD RESPONDENT.
- EXHIBIT P5 : TRUE COPY OF THE REPRESENTATION DATED 18.10.2014 SUBMITTED BY 89 MEMBERS OF THE PETITIONER SOCIETY THROUGH ITS PRESIDENT.
- EXHIBIT P6 : TRUE COPY OF THE NOTICE DATED 22.01.2015 OF THE 2ND RESPONDENT.
- EXHIBIT P7 : TRUE COPY OF THE ORDER DATED 27.11.2014 OF THE 2ND RESPONDENT REVOKING THE ANNUAL GENERAL BODY MEETING OF THE PETITIONER SOCIETY.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 4569 OF 2015

Dated this the 19th day of February, 2015

JUDGMENT

Ext.P4 order declining permission to continue the suspension of the third respondent beyond one year is very much appealable. An appeal lies to the government under Section 83 (1)(j) of the Kerala Co-operative Societies Act, 1969. Any such appeal filed within three weeks from today shall be dealt with by the government within three months therefrom. Needless to say that the petitioner as well as the third respondent shall be put on notice and heard in the exercise.

2. Ext.P6 notice purporting to supersede the managing committee for failure to reinstate the third respondent shall not be enforced in the meanwhile.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd