

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

WEDNESDAY, THE 18TH DAY OF FEBRUARY 2015/29TH MAGHA, 1936

WP(C).No. 4960 of 2015 (T)

PETITIONER:

NEDUMON SERVICE CO-OPERATIVE BANK LTD. NO. 2720,
EZHAMKULAM, PATHANAMTHITTA - 691 556
REPRESENTED BY PRESIDENT IN CHARGE.

BY ADV. SRI.PN.MOHANAN

RESPONDENT:

JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (G),
PATHANAMTHITTA - 691 556.

BY SPECIAL GOVERNMENT PLEADER SRI. D. SOMASUNDARAM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : A TRUE COPY OF THE ORDER DATED 12.12.2014 OF THE RESPONDENT.
- EXHIBIT P2 : A TRUE COPY OF THE ENQUIRY REPORT OF THE ENQUIRY OFFICER.
- EXHIBIT P3 : A TRUE COPY OF THE NOTICE DATED 22.01.2015 OF THE RESPONDENT.
- EXHIBIT P4 : A TRUE COPY OF THE ARBITRATION CASE 85/2014 PENDING WITH THE CO-OPERATIVE ARBITRATION COURT.
- EXHIBIT P5 : A TRUE COPY OF THE COMMUNICATION DATED 30.07.2014 ALONG WITH HIS REQUEST.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 4960 OF 2015

Dated this the 18th day of February, 2015

JUDGMENT

Ext.P3 notice merely affords an opportunity to the petitioner to rectify the defects on the basis of Ext.P2 enquiry report. Ext.P3 notice so issued in terms of Section 66(5) of the Kerala Co-operative Societies Act cannot be faulted with at this juncture. It is open to the petitioner to respond to Ext.P3 notice and convince the respondent about the impact of Ext.P4 arbitration case and Ext.P5 permission.

2. No grounds have been made out at this juncture to interfere with the proceedings initiated by the respondents at this juncture. The petitioner is also free to raise the question of lack of jurisdiction before the respondent if it so desires.

The Writ Petition is dismissed.

**V. CHITAMBARESH
JUDGE**

ncd