

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 17TH DAY OF MARCH 2015/26TH PHALGUNA, 1936

WP(C).No. 5449 of 2015 (E)

PETITIONER:

**M.B.SUKUMARAN NAIR, AGED 53 YEARS
LAKSHMI MANDIRAM, MONCOMBU P.O., KUTTANAD
ALAPPUZHA.**

**BY ADVS.SRI.S.SANAL KUMAR
SMT.BHAVANA VELAYUDHAN
SMT.T.J.SEEMA**

RESPONDENTS:

- 1. SENIOR INSPECTOR OF CO-OPERATIVE SOCIETIES
ARBITRATOR CUM SPECIAL SALES OFFICER
KERALA STATE CO-OPERATIVE HOUSING FEDERATION, KALOOR
KOCHI - 682017.**
- 2. ALAPPUZHA DISTRICT GOVERNMENT SERVANTS
HOUSING CO-OPERATIVE SOCIETY LIMITED NO. 715,
REPRESENTED BY ITS SECRETARY, ALAPPUZHA - 688011.**
- 3. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES
THIRUVANANTHAPURAM-695 014.**

R3 BY GOVERNMENT PLEADER SRI.GIKKU JACOB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
17-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

DCS

WP(C).No. 5449 of 2015 (E)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE SALE PROCLAMATION NOTICE DATED 12.9.2012

**EXHIBIT P2: TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN W.P.(C).
NO. 24927/2012 DATED 19.11.2014**

**EXHIBIT P3: TRUE COPY OF THE CIRCULAR NO. 5/2015 DATED 22.01.2015 ISSUED
BY THE THIRD RESPONDENT**

**EXHIBIT P4: TRUE COPY OF THE APPLICATION DATED NIL SUBMITTED BY THE
PETITIONER BEFORE THE 2ND RESPONDENT**

RESPONDENT(S)' EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 5449 OF 2015

Dated this the 17th day of March, 2015

JUDGMENT

The petitioner has evidently not complied with the terms of Ext. P2 judgment in W.P.(C). No. 24927/2012. Nevertheless the petitioner is not precluded from availing the benefit of 'Aswas 2015' scheme if he is otherwise eligible. The petitioner has in this regard submitted Ext. P4 representation which is pending consideration with the second respondent.

2. I direct the second respondent to consider Ext. P4 representation with notice to the petitioner on or before 28.03.2015. It is upto the petitioner to produce a copy of the writ petition with the judgment before respondents 1 and 2 on or before 23.03.2015.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS