

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 27TH DAY OF FEBRUARY 2015/8TH PHALGUNA, 1936

WP(C).No.6406 of 2015 (A)

PETITIONERS:

1. **M.P.MOOSA MOULAVI,S/O.MUHAMMED HAJI,AGED 48 YEARS,
DARUSALAM HOUSE,PANACHIKA,PALLIYALI P.O.,
ULAVATTOOR,KONDOTTY,MALAPPURAM - 673 838**
2. **N.MUHAMMED,S/O.UNNIYALI,AGED 45 YEARS,
AMBAYAKANDI HOUSE,PANACHIKA,PALLIYALI P.O.,
ULAVATTOOR,KONDOTTY,MALAPPURAM - 673 838**
3. **M.P.MUHAMMED,S/O.IBRAHIMKUTTY,AGED 46 YEARS,
CHIRATHODY HOUSE,PANACHIKA,PALLIYALI P.O.,
ULAVATTOOR,KONDOTTY,MALAPPURAM - 673 838.**
4. **ABDUL HAKKIM.V,S/O.MOHAMMED,AGED 28 YEARS,
AMBAYAKANDI HOUSE,PANACHIKA,PALLIYALI P.O.,
ULAVATTOOR,KONDOTTY,MALAPPURAM - 673 838**
5. **K.P.MOIDEENKUTTY,S/O.MUHAMMED,AGED 40 YEARS,
ERiyATTUPARAMBU,PANACHIKA,PALLIYALI P.O.,
ULAVATTOOR,KONDOTTY,MALAPPURAM - 673 838.**

**BY ADVS.SRI.ELVIN PETER P.J.
SRI.T.G.SUNIL (PRANAVAM)
SRI.K.R.GANESH**

RESPONDENTS:

1. **THE DISTRICT REGISTRAR AND REGISTRAR OF SOCIETIES,
OFFICE OF THE DISTRICT REGISTRAR,
MALAPPURAMDISTRICT,PIN - 676 505.**
2. **SHRI.MANGATTUPARAMBA KUNHIPOCKER,PRESIDENT,
PANACHIKA PALLIYALI JUMU ATH PALLIPARIPALANA COMMITTEE
(REGISTERED UNDER THE SOCIETIES REGISTRATION ACT WITH
REG.NO.177/87) ,P.O.ULAVATTOOR, (VIA) KONDOTTY,
MALAPPURAM -673 638.**

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WP(C).No.6406 of 2015 (A)

3. SHRI.M.C.MUHAMMED HAJI,SECRETARY
PANACHIKA PALLIYALI JUMU ATH PALLIPARIPALANA COMMITTEE
(REGISTERED UNDER THE SOCIETIES REGISTRATION ACT WITH
REG.NO.177/87) P.O.ULAVATTOOR,(VIA) KONDOTTY,
MALAPPURAM -673638.

R1 BY SENIOR GOVT. PLEADER SRI.K.C.VINCENT.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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WP(C).No.6406 of 2015 (A)

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P-1: CERTIFICATION OF REGISTRATION ISSUED TO THE SOCIETY BY THE
DISTRICT REGISTRAR, MALAPPURAM AND A CERTIFIED COPY OF THE
BYELAWS OF THE SOCIETY.**

EXT.P-2: TRUE COPY OF NOTICE ISSUED BY THE 2ND RESPONDENT.

**EXT.P-3: TRUE COPY OF REPRESENTATION DATED 23.2.2015 FILED BY THE
PETITIONERS BEFORE THE 1ST RESPONDENT.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

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P.R. RAMACHANDRA MENON, J.

W.P.(C) No.6406 of 2015

Dated this the 27th day of February, 2015

JUDGMENT

The petitioners have approached this Court with the following prayers:

"i) issue a writ of mandamus or other appropriate writ, order or direction, directing the 1st respondent to consider and pass orders in Ext.P3 representation forthwith;

ii) declare that respondents 2 and 3 have no power to convene annual general body meeting of Panachika Palliyali Jumu Ath Palli paripalana Committee without issuing notice of meeting to all its members;

iii) declare that the decisions, if any, taken in the annual general body meeting of the year 2015 of Panachika Palliyali Jumu Ath Palli paripalana Committee is illegal and void;

iv) issue such other and further reliefs as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

The learned counsel for the petitioners submits that, the grievance of the petitioners has also been projected by way of Ext.P3 representation and that the petitioners will be satisfied, if a direction is given to the first respondent to have it considered

and finalized within a reasonable time.

2. Heard the learned Government Pleader as well.

3. In view of the limited extent of relief sought for and proposed to be given, this Court does not find it necessary to deal with the merits of the case or to issue notice to respondents 2 and 3.

4. In the above circumstances, there will be a direction to the first respondent to consider and pass appropriate orders on Ext.P3 in accordance with law, after affording an opportunity of hearing to the petitioners, respondents 2 and 3 and other interested parties, if any, at the earliest, at any rate, within 'one month' from the date of receipt of a copy of this judgment.

4. It is made clear that, the decision to be taken by the respondents 2 and 3 in the meeting of the Panachika Palliyali Jumu Ath Palli paripalana Committee, stated as to be held today, would be subject to the orders to be passed by the first respondent on Ext.P3.

The petitioners shall produce a copy of the judgment, along

with a copy of the writ petition, before the first respondent, for further steps.

The writ petition is disposed of.

**P.R. RAMACHANDRA MENON,
JUDGE.**

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