

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE V.CHITAMBARESH**

**TUESDAY, THE 10TH DAY OF MARCH 2015/19TH PHALGUNA, 1936**

**WP(C).No. 6659 of 2015 (F)**  
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**PETITIONER:**  
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**V. MOHANAN,  
MEMBERSHIP NO. 1754, OTTASEKHARAMANGALAM SERVICE  
CO-OPERATIVE BANK LTD. NO. T. 872, OTTASEKHARAMANGALAM P.O.  
THIRUVANANTHAPURAM, RESIDING AT THALAKONATHU  
KIZHAKETHATTU PUTHEN VEEDU, VAALIKODU,  
OTTASEKHARAMANGALAM P.O., KATTAKADA TALUK,  
THIRUVANANTHAPURAM 695 125**

**BY ADVS.SRI.THOMAS ABRAHAM  
SMT.MERCIAMMA MATHEW  
SRI.V.RENJITH KUMAR  
SRI.ASWIN.P.JOHN**

**RESPONDENTS:**  
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- 1. STATE OF KERALA  
REPRESENTED BY SECRETARY DEPARTMENT OF CO-OPERATION  
GOVERNMENT OF KERALA, SECRETARIAT,  
THIRUVANANTHAPURAM, 695 001**
- 2. KERALA STATE CO-OPERATIVE ELECTION COMMISSION  
CO-BANK TOWERS, THIRUVANANTHAPURAM 695 001**
- 3. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL)  
VANCHIYOOR,  
THIRUVANANTHAPURAM DISTRICT, THIRUVANANTHAPURAM  
695 009**
- 4. ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES  
(GENERAL), NEYYATTINKARA, THIRUVANANTHAPURAM 685 125**
- 5. THE ELECTROL OFFICER, ELECTION TO THE MANAGING  
COMMITTEE OF OTTASEKHARAMANGALAM SERVICE CO-  
OPERATIVE BANK LTD. NO. T-872, OTTASEKHARAMANAGALAM  
P.O., THIRUVANANTHAPURAM, O/O. ASSISTANT REGISTRAR OF  
CO-OPERATIVE SOCIEITES (GENERAL), NEYYATINKARA,  
THIRUVANANTHAPURAM - 685 125**

- 6. OTTASEKHARAMANGALAM SERVICE CO-OPERATIVE BANK LTD.  
NO. T- 872, OTTASEKHARAMANGALAM P.O.,  
THIRUVANANTHAPURAM, 685 125, REPRESENTED BY ITS  
SECRETARY**
- 7. V.SOMANKUTTY NAIR, CONVENER, ADMINISTRATIVE  
COMMITTEE, OTTASEKHARAMANGALAM SERVICE CO-  
OPERATIVE BANK LTD. NO. T. 872, OTTASEKHARAMANGALAM  
P.O., THIRUVANANTHAPURAM 695 125 RESIDING AT KUTTAPPA  
NIVAS, MANDAPATHIN KADAVU, OTTASEKHARAMANGALAM P.O.,  
KATTAKADA TALUK, THIRUVANANTHAPURAM 685 125**
- 8. B. SUKUMARAN, MEMBER, ADMINISTRATIVE COMMITTEE,  
OTTASEKHARAMANGALAM SERVICE CO-OPERATIVE BANK LTD.  
NO. T-872, OTTASEKHARAMANGALAM P.O.,  
THIRUVANANTHAPURAM 695 125  
AYANIVILA PUTHAN VEEDU, KURAVARA,  
OTTASEKHARAMANGALAM P.O., THIRUVANANTHAPURAM 685  
125**
- 9. C. THOMAS ALIAS VAZHICHAL THOMAS, MEMBER,  
ADMINISTRATIVE COMMITTEE, OTTASEKHARAMANGALAM  
SERVICE CO-OPERATIVE BANK LTD. NO. T-872,  
OTTASEKHARAMANGALAM P.O., THIRUVANANTHAPURAM 685  
125 RESIDING AT JOSE BHAVAN, KUNTHALAKKODU, VAZHICHAL  
P.O.**
- 10. N. GOPALAKRISHNA PILLAI, S/O. NARAYANA PILLAI,  
PUTHUVETTUMURI COLONY, POOZHANAD P.O.  
OTTASEKHARAMANGALAM, THIRUVANANTHAPURAM DISTRICT  
685 125**
- 11. MURALEEDHARAN NAIR T., S/O. V THANKAPPAN NAIR,  
CHENAD MELE PUTHEN VEEDU CHENAD, POOZHANAD P.O.  
OTTASEKHARAMANGALAM, THIRUVANANTHAPURAM**

**R1 TO R5 BY SPL. GOVERNMENT PLEADER SRI. D. SOMASUNDARAM  
R6 BY ADV. SRI. P.N.MOHANAN  
R10 & R11 BY ADVS. SRI.V.G.ARUN  
SRI.T.R.HARIKUMAR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
10-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**WP(C).No. 6659 of 2015 (F)**  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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**EXHIBIT-P1- TRUE COPY OF THE ELECTION PROCEEDINGS OF THE RETURNING OFFICER DATED 16/08/2009 IN WHICH THE NAMES OF RESPONDENTS 7 TO 9 ARE SHOWN AGAINST SERIAL NUMBERS 14, 18 AND 17 RESPECTIVELY.**

**EXHIBIT-P2- TRUE COPY OF THE ORDER NO. CRP(1)/7723/14 DATED 16/08/2014 OF THE 3RD RESPONDENT.**

**EXHIBIT-P3- TRUE COPY OF THE ORDER NO. CRP(1)7722/2014 DATED 12/09/2014 ISSUED BY THE 3RD RESPONDENT.**

**EXHIBIT-P4- TRUE COPY OF THE JUDGMENT DATED 23/10/2014 IN W.P(C) 19885/2014**

**EXHIBIT-P5- TRUE COPY OF THE ELECTION NOTIFICATION DATED 26/12/2014 ISSUED BY THE 2ND RESPONDENT.**

**EXHIBIT-P6- TRUE COPY OF THE NOTIFIATION NO. E(1)5523/2014/SCEC DATED 03/02/2015 ISSUED BY THE 2ND RESPONDENT AND THE LETTER FORWARDING THE SAME TO THE 3RD RESPONDENT.**

**EXHIBIT-P7- TRUE COPY OF THE ORDER DATED 16/02/2015 ISSUED BY THE 3RD RESPONDENT.**

**EXHIBIT-P8- TRUE COPY OF THE REPRESENTATION DATED 16/02/2015 SUBMITTED BY THE PETITIONER.**

**RESPONDENT(S)' EXHIBITS:-NIL**  
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**/TRUE COPY/**

**P.A. TO JUDGE**

**DCS**

**V. CHITAMBARESH, J**

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**W.P.(C). NO. 6659 OF 2015**  
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Dated this the 10<sup>th</sup> day of March, 2015

**JUDGMENT**

The term of the Administrative Committee appointed by Ext. P3 order dated 12.09.2014 expired. Their term has been further extended by six months by Ext. P7 order dated 16.02.2015. The voters list requires to be pruned up in accordance with Rule 18A of the Kerala Co-operative Societies Rules, 1969. The steps for the conduct of election to the Managing Committee of the sixth respondent bank have to be completed soon.

2. The writ petition is hence disposed of with the following directions:-

i) The Administrative Committee in office shall revamp the voters list in accordance with Rule 18A of the Rules aforesaid on or before 31.05.2015.

ii) Form 6B register shall be maintained and a resolution fixing the date and time of election shall be passed by the Administrative Committee on or before 15.06.2015.

iii) The third respondent Joint Registrar shall see to it that a newly elected Managing Committee assumes office on or before 31.08.2015 at any rate.

iv) The State Co-operative Election Commission shall supervise the conduct of election in the above lines as envisaged under Section 28B of the Kerala Co-operative Societies Act, 1969.

The above directions are issued in view of the broad consensus arrived at by the counsel appearing for all parties.

**V. CHITAMBARESH  
JUDGE**

DCS