

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

MONDAY, THE 9TH DAY OF MARCH 2015/18TH PHALGUNA, 1936

WP(C).No. 6697 of 2015 (J)

PETITIONER(S):

**FRIENDS ARTS SOCIETY, KONOOR (FAS KONOOR)
REPRESENTED BY ITS SECRETARY
ALJO LONAPPAN, S/O.LONAPPAN, AGED 32 YEARS
PAZHAYI HOUSE, NALUKETTU PO, KONOOR
THRISSUR DISTRICT, PIN-680 308.**

**BY ADVS.SRI.C.A.CHACKO
SMT.C.M.CHARISMA**

RESPONDENT(S):

- 1. THE REGISTRAR OF SOCIETIES
{DISTRICT REGISTRAR (GENERAL)}, THRISSUR 680 001.**
- 2. P. KURIYAKOSE, S/O.POULOSE, AGED 65 YEARS
PUTHUSSERY HOUSE, NALUKETTU P.O, KONNUR
THRISSUR DISTRICT, PIN-680308.**
- 3. SUBRAMANYAN
S/O.ANJALAVAN, PALLIPARAMBIL, NALUKETTU P.O
KONNUR THRISSUR DISTRICT, PIN-680 308.**

**R1 BY GOVERNMENT PLEADER SRI.JOSEPH GEORGE
R2 & 3 BY ADV. SRI.AYPE JOSEPH**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 - TRUE COPY OF CERTIFICATE OF RECOGNITION FOR THE PERIOD 1/4/2009 TO 31/3/2012 GIVEN BY KERALA SANGEETHA NATAKA ACADEMY.
- EXT.P2 - TRUE COPY OF CERTIFICATE OF RECOGNITION FOR THE PERIOD 1/4/2012 TO 31/3/2017 GIVEN BY KERALA SANGEETHA NATAKA ACADEMY.
- EXT.P3 - TRUE COPY OF SANCTION GIVEN BY POLICE TO THE PETITIONER IN THE NAME OF FAS, KONOOR FOR USING LOUDSPEAKER ON 31-10-12 & 31-10-13
- EXT.P4 - TRUE COPY OF CERTIFICATE ISSUED BY KORATTY GRAMA PANCHAYAT DATED 1-10-13
- EXT.P5 - TRUE COPY OF RECEIPT DATED 17-5-2014 IN THE NAME FAS, KONNOOR ISSUED BY CANCER DETECTION CENTRE
- EXT.P6 - TRUE COPY OF ACCOUNT STATEMENT OF PETITIONER IN THE NAME OF FAS, KONOOR
- EXT.P7 - TRUE COPY OF ON-LINE APPLICATION DATED 17-2-15 OF FINE ARTS SOCIETY
- EXT.P8 - TRUE COPY OF REPRESENTATION SUBMITTED BEFORE 1ST RESPONDENT.
- EXT.P9 - TRUE COPY OF PLAINT IN OS NO.160/2015 ON THE FILE OF MUNSIF COURT CHALAKKUDY.
- EXT.P10 - TRUE COPY OF APPLICATION SUBMITTED BEFORE 1ST RESPONDENT FOR REGISTRATION OF PETITIONER.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.6697 of 2015

Dated this the 3rd day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers:

"i) Issue a Writ of Mandamus or any other appropriate writ, order or direction to the 1st respondent not to register Fine Arts Society of respondents 2 and 3 in the name and style as 'FAS, KONOOR' which is the name used by the petitioner society;

ii) Issue a Writ of Mandamus or any other appropriate writ, order or direction to the 1st respondent to consider Ext.P8 representation submitted by the petitioner;

iii) Issue a Writ of Mandamus or any other appropriate writ, order or direction to the 1st respondent to consider Ext.P10 application submitted by the petitioner for registration forthwith;

&

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

2. Pursuant to urgent notice on admission ordered by this Court, respondents 2 and 3 have entered appearance. The learned counsel for the respondents 2 and 3 submits that, the

petitioner is not actually entitled to have the reliefs sought for. The learned counsel further submits that, proper application was submitted by respondents 2 and 3 on 17.02.2015, which is prior to the application stated as preferred by the petitioner and hence the said respondents are having better rights and liberties to have the reliefs sought for.

3. The learned counsel for the petitioner points out that the issue is pending consideration before the first respondent by way of Ext.P8 and the limited extent of relief now pressed before this Court is to cause the same to be considered and disposed of within a reasonable time.

4. Heard the learned Government Pleader as well.

5. After hearing both the sides, the writ petition is disposed of, directing the first respondent to consider and pass appropriate orders on Exts.P8 and P10, after giving an opportunity of hearing to the petitioner, respondents 2 and 3 and other interested parties, if any, at the earliest, at any rate, within 'six weeks' from the date of receipt of a copy of this judgment.

'Status quo' shall be maintained till such time.

Petitioner shall produce a copy of this 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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