

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 18TH DAY OF MARCH 2015/27TH PHALGUNA, 1936

WP(C).No. 7408 of 2015 (A)

PETITIONER:

**V.S. JAYANANDAN
KONNAKKAL HOUSE, VENGOOR, KRISHNAGIRI P.O.
SULTHAN BATHERY, WAYANADU.**

**BY ADVS.SRI.T.RAJASEKHARAN NAIR
SRI.P.V.BABY**

RESPONDENTS:

- 1. THE REGISTRAR OF CO-OPERATIVE SOCIETIES
THIRUVANANTHAPURAM - 695 001.**
- 2. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL)
KALPATTA, WAYANADU DISTRICT - 673 121.**
- 3. THE KERALA STATE CO-OPERATIVE ELECTION COMMISSION
REPRESENTED BY ITS SECRETARY
THIRUVANANTHAPURAM - 695 001.**
- 4. THE ADMINISTRATOR
THE SULTHAN BATHERY CO-OPERATIVE EDUCATIONAL
SOCIETY LTD.NO. W-39
SULTHAN BETHERY P.O.
WAYANADU DISTRICT - 673 592. (THE INSPECTOR
PLANNING SECTION
OFFICE OF THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (G)
KALPETTA).**
- 5. SRI.M.SATHEESH
MEMBER, ADMINISTRATIVE COMMITTEE
RESIDING AT PATTARUMADATHIL HOUSE P.O., BEENACHI
SULTHAN BETHERY, WAYANADU DISTRICT - 673 121.**
- 6. SRI.P.ASHRAF
MEMBER, ADMINISTRATIVE COMMITTEE
RESIDING AT PAIKKADAN HOUSE, ANAPPARA P.O., CHULLIYODU
WAYANADU - 673 332.**

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7. SRI.VN.VINODKUMAR

MEMBER, ADMINISTRATIVE COMMITTEE

**RESIDING AT VADAKKENADAYIL HOUSE, P.O.VARADOOR, KARANI
WAYANADU - 673 121.**

*** ADDL. R8 IMPEADED**

8. T.K. VIJAYAN, S/O KUNJUNNI

AGED 57 YEARS, THARAYAPPARAMBIL HOUSE

P.O. KUPPADI, SULTHAN BATHERY, WAYANAD DISTRICT

*** ADDL. R8 IS IMPEADED AS PER THE ORDER DATED 18.03.2015 IN I.A.
NO. 4001/2015**

R1 TO R3 BY SPL. GOVERNMENT PLEADER SRI. D. SOMASUNDARAM

R5 & R6 BY ADVS. SRI.VRAJENDRAN (PERUMBAVOOR)

SRI.GEORGE VARGHESE KIZHAKKAMBALAM

R8 BY ADV. SRI. P.V. BABY

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
18-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: THE TRUE PHOTOCOPY OF THE RELEVANT PAGE OF BYE-LAW OF THE 4TH RESPONDENT SOCIETY.**
- EXT.P1(a): A TRUE PHOTOCOPY OF THE AMDENDED BY LAW IN RESPECT OF CLAUSE 5 (a) WITH REGARD TO THE A CLASS MEMBERSHIP.**
- EXT.P2: A TRUE PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT.**
- EXT.P3: A TRUE PHOTOCOPY OF THE COMMUNICATION DATED 15/09/2011 ISSUED BY THE 2ND RESPONDENT TO THE SOCIETY.**
- EXT.P4: A TRUE PHOTOCOPY OF THE COMMUNICATION DATED 22/11/2011 ISSUED BY THE 2ND RESPONDENT TO THE 4TH RESPONDENT SOCIETY.**
- EXT.P5: A TRUE PHOTOCOPY OF THE RESOLUTION PASSED BY THE 4TH RESPONDENT SOCIETY.**
- EXT.P6: A TRUE PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.**
- EXT.P7: A TRUE PHOTOCOPY OF THE JUDGMENT PASSED BY THIS COURT IN WPC.NO. 27339/2014.**
- EXT.P8: A TRUE PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE 2ND RESPONDENT.**
- EXT.P9: A TRUE PHOTOCOPY OF THE RECEIPT ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.**
- EXT.P10: A TRUE PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.**
- EXT.P11: A TRUE PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.**
- EXT.P12: A TRUE PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.**
- EXT.P13: A TRUE PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT.**

RESPONDENT(S)' EXHIBITS

**EXHIBIT R8(a): TRUE PHOTOCOPY OF THE ORDER DATED 31.10.2007
ISSUED BY THE 2ND RESPONDENT**

**EXHIBIT R8(b): TRUE PHOTOCOPY OF THE ORDER DATED 6.11.2008 ISSUED
BY THE GOVERNMENT**

**EXHIBIT R8(c): TRUE PHOTOCOPY OF ORDER DATED 31.01.2015 ISSUED BY
THE 2ND RESPONDENT**

/TRUE COPY/

P.A TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 7408 OF 2015

Dated this the 18th day of March, 2015

JUDGMENT

There is no reason to dilute the directions contained in Ext. P7 judgment as regards the conduct of election. The Joint Registrar has pursuant thereto issued Ext. R8(c) order directing respondents 5 to 7 to comply with Ext. P7 judgment in letter and spirit. The complaint of the petitioner is that ineligible members still continue on the rolls of the fourth respondent Co-operative Society.

2. The petitioner is free to raise objections in this regard as and when the draft voters list is published. The objections thereto shall be duly considered before the final voters list is published. Every endeavour shall be made to complete the election process within the time frame specified in Ext. P7 judgment.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS