

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 13TH DAY OF MARCH 2015/22ND PHALGUNA, 1936

WP(C).No. 8035 of 2015 ()

PETITIONER(S):

A.D.ANTONY, S/O.DEVASSY,
ARACKALAL HOUSE, ELAVOOR P.O.
ANGAMALY (VIA), ERNAKULAM DISTRICT.

BY ADVS.SRI.V.G.ARUN
SRI.T.R.HARIKUMAR

RESPONDENT(S):

1. THE ELAVOOR SERVICE CO-OPERATIVE BANK LTD. NO.1009,
REPRESENTED BY ITS SECRETARY, ELAVOOR P.O.
ANGAMALY, ERNAKULAM DISTRICT - 683 572.
2. THE PRESIDENT, ELAVOOR SERVICE CO-OPERATIVE BANK LTD.
NO.1009, ELAVOOR P.O., ANGAMALY, ERNAKULAM DISTRICT - 683 572
3. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL)
ERNAKULAM, CIVIL STATION, KAKKANAD,
ERNAKULAM DISTRICT - 682 030.

R BY GOVERNMENT PLEADER SRI.GIKKU JACOB.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
13-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) No.8035 of 2015

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : A TRUE COPY OF THE JUDGMENT IN W.P(C) NO.33257 OF 2014 DATED 8.1.2015.
- EXHIBIT P2 : A TRUE COPY OF THE ORDER NO.C.R.P(2)9410/2014 DATED 10.2.2015 ISSUED BY THE THIRD RESPONDENT.
- EXHIBIT P3 : A TRUE COPY OF THE SPECIAL GENERAL BODY NOTICE DATED 6.3.2015 ISSUED BY THE FIRST RESPONDENT.
- EXHIBIT P4 : A TRUE COPY OF THE RELEVANT PAGES OF THE BYE LAWS OF THE FIRST RESPONDENT.
- EXHIBIT P5 : A TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE THIRD RESPONDENT DATED 11.3.2015.

RESPONDENT(S) EXHIBITS

NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.8035 of 2015

Dated this the 13th day of March, 2015

J U D G M E N T

The petitioner objects to the convening of a special general body meeting on 15.3.2015. The agenda of the meeting is to remove the petitioner from the primary membership of the first respondent Bank. The petitioner contends that this is a deliberate attempt to tide over the order dated 10.2.2015 of the third respondent Joint Registrar. The Joint Registrar had by that order interdicted the suspension of the petitioner as a member of the Bank.

2. The petitioner has filed Ext.P5 representation to the third respondent Joint Registrar. The same pertains to the convening of the special general body meeting on 15.3.2015. The petitioner contends that the procedure adopted by the first respondent Bank is contrary to the Kerala Co-operative Societies Act. I do not want to delve deep into these aspects since the matter is engaging the attention of the third respondent Joint Registrar.

3. I direct the third respondent to consider Ext.P5 representation with notice to the petitioner and

the first respondent. The needful shall be done within a period of one month from the date of receipt of a copy of this judgment. Any decision as regards the removal of membership of the petitioner from the first respondent Bank shall not be implemented in the meanwhile. Such bar will operate till Ext.P5 representation is disposed of by the third respondent as directed above.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.