

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

THURSDAY, THE 26TH DAY OF MARCH 2015/5TH CHAITHRA, 1937

WP(C).No. 8663 of 2015 (G)

PETITIONER:

GEORGE KUNNAPUZHA, KUNNAPUZHA HOUSE,
PULLAD P O, PATHANAMTHITTA DIST-689 548.

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

RESPONDENTS:

1. THE PULLADU SERVICE CO-OPERATIVE BANK LTD.
NO 1375, REP BY ITS SECRETARY, PULLAD P O
PATHANAMTHITTA DISTRICT-689548.
2. THE RETURNING OFFICER, PULLAD SERVICE
CO -OPERATIVE BANK LTD NO 1375, PULLAD P O,
PATHANAMTHITTA DISTRICT 689548
(UNIT INSPECTOR, THIRUVALLA, OFFICE OF
THE ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETIES(GENERAL)THIRUVALLA)
3. THE ELECTORAL OFFICER, PULLADU SERVICE
CO-OPERATIVE BANK LTD NO 1375, PULLAD P O ,
PATHANAMTHITTA DISTRICT 689548
(ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETIES(GENERAL)THIRUVALLA)
4. THE STATE CO-OPERATIVE ELECTION COMMISSION,
THIRUVANANTHAPURAM-695001
5. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES(GENERAL), PATHANAMTHITTA DIST-689001
6. THE PATHANAMTHITTA DISTRICT CO-OPERATIVE BANK LTD
REP BY ITS GENERAL MANAGER, PATHANAMTHITTA -689001

R6 BY ADV. SRI. V. PHILIP MATHEW
BY SPECIAL GOVERNMENT PLEADER SRI. D. SOMASUNDARAM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 :- A TRUE COPY OF THE ELECTION NOTIFICATION NO E(1) 199/2014/SCEC DTD 27/1/2015
- EXHIBIT P2 :- A TRUE COPY OF THE ELECTION NOTIFICATION PUBLISHED IN THE MATHRUBHOOMI DAILY DTD 7/2/2015
- EXHIBIT P3 :- A TRUE COPY OF THE ELECTION NOTIFICATION PUBLISHED IN THE MANGALAM DAILY DTD 7/2/2015
- EXHIBIT P4 :- A COPY OF MODEL BALLOT PAPER CONTAINING THE NAMES OF CANDIDATES IN THE FINAL LIST
- EXHIBIT P5 :- A TRUE COPY OF THE LETTER ISSUED BY THE CONVENOR OF THE PATHANAMTHITTA DISTRICT COMMITTEE OF THE LEF DEMORATIC FRONT DTD 13.3.2015
- EXHIBIT P6 :- A TRUE COPY OF THE RELEVANT PAGES OF THE BYELAWS OF THE FIRST RESPONDENT SOCIETY
- EXHIBIT P7 :- A TRUE COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT DTD 13/3/2014
- EXHIBIT P8 :- A TRUE COPY OF THE LETTER SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DTD 13/3/2015
- EXHIBIT P9 :- A TRUE COPY OF THE ORDER NO. C.R.P(2)1434/15 DATED 17.03.2015 ISSUED BY THE 5TH RESPONDENT
- EXHIBIT P10 :- A TRUE COPY OF THE COVERING LETTER DATED 19.03.2015 ALONG WITH ELECTION NOTIFICATION ISSUED BY THE 4TH RESPONDENT

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 8663 OF 2015

Dated this the 26th day of March, 2015

JUDGMENT

The polling did not take place on 14.03.2015 only because there was a call for harthal on that date. The polling adjourned to 28.03.2015 has also been deferred. All other election process such as the voters list and the list of candidates is complete. The election should be continued from the stage it was interrupted due to hartal.

2. The term of the erstwhile Managing Committee had expired on 19.03.2015. A new Managing Committee has to be elected to office atleast before 18.04.2015. It is the duty of the fourth respondent Election Commission to fix a date for polling without waiting for any resolution by the Administrator. The Administrator can suggest the venue and date for the fourth respondent Election Commission to accept and issue the notification.

All other contentions are left open. The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**