

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

WP(C).No. 10143 of 2015 (P)

PETITIONERS:

- 1. G.D.RAJASEKHARAN, AGED 50 YEARS
S/O DAMODARAN NAIR, MUKKADA HOUSE, MENAMKIMBAM
KAZHAKKOOTTAM.P.O, THIRUVANANTHAPURAM, PIN-695582.**
- 2. BABU.M, AGED 43 YEARS
S/O MADHAVAN PILLAI, ANIL BHAVAN, CHITTATTUMUKKU.P.O
CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM, PIN-695588.**

**BY ADVS.SRI.K.C.ELDHO
SRI.JJO THOMAS
SRI.MALLENATHAN.M.
SRI.ANEESH JAMES
SRI.ANIL R.NATH**

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT
DEPARTMENT OF CO-OPERATIVE SOCIETIES
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM
PIN-695001.**
- 2. THE DEPUTY DIRECTOR,
DAIRY DEVELOPMENT DEPARTMENT
OFFICE OF THE DEPUTY DIRECTOR
THIRUVANANTHAPURAM-695001.**
- 3. THE ELECTION COMMISSIONER,
STATE CO-OPERATIVE ELECTION COMMISSION
CO-BANK TOWERS, VIKAS BHAVAN.P.O
THIRUVANANTHAPURAM-695033.**
- 4. CHITTATTUMUKKU MILK DEVELOPMENT CO-OPERATIVE SOCIETY
LIMITED,
NO.4029, REPRESENTED BY ITS SECRETARY
CHITTATTUMUKKU POST, KAZHAKKOOTTAM BLOCK
THIRUVANANTHAPURAM-695588.**
- 5. THE DIARY FARM INSTRUCTOR,
CORPORATE MANAGER, KAZHAKKOOTTAM BLOCK
THIRUVANANTHAPURAM-695582.**

R1 TO R3 BY GOVERNMENT PLEADER SRI. K.K. SAIDALAVI

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
06-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 TRUE COPY OF THE MEMBERSHIP CARD OF THE 1ST PETITIONER**
- EXT.P2 TRUE COPY OF THE ELECTION NOTIFICATION DATED 19.02.2015
PUBLISHED BY THE 3RD RESPONDENT**
- EXT.P3 TRUE COPY OF DRAFT VOTERS LIST DATED 25.02.2015**
- EXT.P4 TRUE COPY OF THE RELEVANT PAGES OF THE BYLAWS OF THE
4TH RESPONDENT SOCIETY**
- EXT.P5 TRUE COPY OF THE COMPLAINT SUBMITTED BY THE 1ST
PETITIONER BEFORE THE 3RD RESPONDENT**
- EXT.P6 A TRUE COPY OF THE COMPLAINT SUBMITTED BEFORE THE 2ND
RESPONDENT DATED 08.03.2015.**

RESPONDENT(S)' EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO.10143 OF 2015

Dated this the 6th day of April, 2015

JUDGMENT

The votes of persons listed as serial Nos. 50 to 77 in Ext. P3 list have been collected in a separate ballot box. Their votes have nevertheless been counted for declaring the result.

2. Whether those persons have a right to vote or contest in the election is a matter for deeper probe. The petitioners are free to agitate this question in an election petition under Section 69 of the Kerala Co-operative Societies Act, 1969.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS