

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937

WP(C).No. 10389 of 2015 (W)

PETITIONER(S):

MOOTHEDAM CO-OPERATIVE URBAN SANGHAM LTD. NO.M.653
KARAPPURAM.P.O., MALAPPURAM-679 331
REPRESENTED BY ITS PRESIDENT ISMAIL, AGED 49 YEARS
S/O.MOYIN, PARASUNAMKUNNIL, CHEMMAMTHITTA
P.O.KARAPPURAM, MALAPPURAM-679 331.

BY ADVS.SRI.P.B.SAHASRANAMAN
SRI.T.S.HARIKUMAR
SRI.K.JAGADEESH

RESPONDENT(S):

1. THE JOINT REGISTRAR (GENERAL)
CO-OPERATIVE SOCIETIES, CIVIL STATION
MALAPPURAM-676 505.
2. THE ASSISTANT REGISTRAR (GENERAL)
MANCHERRY, MALAPPURAM DISTRICT-676 121.

R BY GOVERNMENT PLEADER SRI.GIKKU JACOB.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
31-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

P1- TRUE PHOTOSTAT COPY OF THE REPLY SUBMITTED BY THE PETITIONER DATED
NIL.

P2- TRUE PHOTOSTAT COPY OF THE NOTICE VIDE C.R.B.1044/10, DATED
13.01.2014 ISSUED BY THE 1ST RESPONDENT.

P3- TRUE PHOTOSTAT COPY OF THE EXPLANATION SUBMITTED BY THE SECRETARY
OF THE SOCIETY, DATED 20.02.2014.

P4- TRUE PHOTOSTAT COPY OF THE RECEIPT OF THE DEPOSIT AMOUNT OF
RS.10 LAKHS DATED 31.03.2012.

P5- TRUE PHOTOCOPY OF THE ORDER OF THE 1ST RESPONDENT DATED 20.08.2014.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.10389 of 2015

Dated this the 31st day of March, 2015

J U D G M E N T

Ext.P5 order directing supervision and inspection under Section 66 of the Kerala Co-operative Societies Act, 1969 is impugned. Many disputed questions of fact arise for consideration which cannot be adjudicated in a writ petition of this nature. The petitioner has an effective alternate remedy by way of Appeal under Section 83((1)(j)) of the Kerala Co-operative Societies Act, 1969. Moreover the alleged complainant who has alerted the first respondent to initiate proceedings under Section 66 of the Kerala Co-operative Societies Act, 1969 has not been impleaded.

The Writ Petition is dismissed without prejudice to the right of the petitioner as above.

Sd/-
V.CHITAMBARESH,
Judge.

nj.