

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 12TH DAY OF JANUARY 2015/22ND POUSHA, 1936

WP(C).No. 11022 of 2014 (C)

PETITIONER:

**ABDUL JALEEL THIRUMANGALATH,
S/O HAMEED, JALEEL MANZIL, ADOOR
KADACHIRA P.O, 670621, KANNUR DISTRICT**

**BY ADVS.SRI.M.SASINDRAN
SRI.V.VENUGOPAL**

RESPONDENTS:

- 1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL)
KANNUR 670001**
- 2. THE KADACHIRA SERVICE CO-OPERATIVE BANK LTD NO 1597,
KADACHIRA P.O, 670621, KANNUR DISTRICT
REPRESENTED BY ITS SECRETARY**
- 3. THE BOARD OF DIRECTORS OF KADACHIRA SERVICE CO-OPERATIVE
BANK LTD NO1597,
KADACHIRA P.O, 670621, REPRESENTED BY ITS PRESIDENT**

**R2 & R3 BY ADV. SRI.CIBI THOMAS
R1 BY GOVERNMENT PLEADER SRI. T.R. RAJESH**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
12-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 A TRUE COPY OF THE ELECTION NOTIFICATION DATED 24-12-2013

**EXHIBIT P2 A TRUE COPY OF THE ORDER REJECTING NOMINATION OF THE
PETITIONER**

**EXHIBIT P3 A TRUE COPY OF THE NEWSPAPER EXTRACT RECEIVED BY THE
PETITIONER UNDER THE RIGHT TO INFORMATION ACT FROM
THE OFFICE OF THE FIRST RESPONDENT**

**EXHIBIT P4 A TRUE COPY OF THE RELEVANT EXTRACT OF THE BYE LAWS
RECEIVED BY THE PETITIONER UNDER RIGHT TO INFORMATION
ACT FROM THE OFFICE IF THE FIRST RESPONDENT**

**EXHIBIT P5 A TRUE COPY OF THE RELEVANT EXTRACT OF THE BYE LAWS
PRODUCED AS ANNEXURE III IN WPC 1748 OF 2014**

**EXHIBIT P6 A TRUE COPY OF THE ORDER OF THE FIRST
RESPONDENT REGISTERED THE AMENDMENT OF BYE LAWS OF
THE 2ND RESPONDENT SOCIETY**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 11022 OF 2014

Dated this the 12th day of January, 2015

JUDGMENT

Exts. P4 and P5 are only truncated copies of the bye-laws. The petitioner is aggrieved by the registration granted to the amended bye-laws. Particularly Clause 14(g) of the amended bye-laws is impugned.

2. The order impugned is very much appealable under Section 83(1)(j) of the Kerala Co-operative Societies Act, 1969. Whether there was proper publication of the notice of the meetings wherein the amendment to the bye-laws were mooted can be considered in appeal. I decline jurisdiction when the petitioner has an effective alternate statutory remedy to challenge the procedure adopted in registering the amended bye-laws.

The writ petition is dismissed without prejudice to the right of the petitioner as above.

**V. CHITAMBARESH
JUDGE**

DCS