

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

MONDAY, THE 26TH DAY OF OCTOBER 2015/4TH KARTHIKA, 1937

WP(C).No. 11919 of 2014 (L)

PETITIONER :

**THENHIPALAM CO-OPERATIVE RURAL BANK LTD.NO.M.668
THENHIPALAM P.O., MALAPPURAM, REPRESENTED BY ITS PRESIDENT.**

**BY ADVS.SRI.B.S.SWATHY KUMAR
SRI.REMYA MURALI
SRI.A.K.RAJESH**

RESPONDENT(S) :

- 1. STATE OF KERALA
REPRESENTED BY THE SECRETARY
CO-OPERATION (C) DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM - 695 001.**
- 2. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL)
MALAPPURAM, PIN - 673 505.**
- 3. THENHIPALAM SERVICE CO-OPERATIVE BANK LTD. NO. D.1969
THENHIPALAM, MALAPPURAM, PIN - 673 636
REPRESENTED BY ITS SECRETARY.**

**R1 & R2 BY SR. GOVT. PLEADER SRI. C.R. SYAM KUMAR
R3 BY ADV. SRI.GEORGE POONTHOTTAM**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26-10-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Mn

...2/-

WP(C).No. 11919 of 2014 (L)

APPENDIX

PETITIONER' EXHIBITS :

- EXHIBIT-P1- TRUE COPY OF THE REPORT NO. F 1520/2011 DATED 25/07/2012 OF THE ASSISTANT REGISTRAR.
- EXHIBIT-P2- TRUE COPY OF THE REPORT NO. 7549/2012 DATED 03/01/2013 OF THE ASSISTANT REGISTRAR.
- EXHIBIT-P3- TRUE COPY OF THE ORDER NO. CP (2) 18111/2013 DATED 26/07/2013.
- EXHIBIT-P4- TRUE COPY OF THE ORDER NO. CRP (2) 6334/2012/K.DIS DATED 03/03/2014 OF THE 2ND RESPONDENT.
- EXHIBIT-P5- TRUE COPY OF THE CIRCULAR NO. 40/2013 DATED 17/06/2013.
- EXHIBIT-P6- TRUE COPY OF THE COMMUNICATION NO. A 1583/2013 DATED 06/09/2013.
- EXHIBIT-P7- TRUE COPY OF THE CERTIFICATE OF THE 3RD RESPONDENT.
- EXHIBIT P8- TRUE COPY OF THE RELEVANT PAGE OF ITS BYE-LAWS OF THE PETITIONER.
- EXHIBIT P9- TRUE COPY OF THE APPLICATION UNDER THE RIGHT INFORMATION ACT DATED 21-8-2013.
- EXHIBIT P10- TRUE COPY OF THE COMMUNICATION NO. CRP(2) 5129/2013 DATED 2-9-2013.
- EXHIBIT P11- COPY OF THE COMMUNICATION NO. A 1583/2013 DATED 6-9-2013.
- EXHIBIT P12- COPY OF THE ORDER NO. CRP (2) 9042/11/K.DIS DATED 15-6-2012.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

A.M. SHAFFIQUE, J.

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W.P. (C) No. 11919 of 2014

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Dated this, the 26th day of October, 2015

J U D G M E N T

Petitioner challenges Ext.P4 order dated 3/3/2014 by which the Joint Registrar (General) of Co-operative Societies permitted the respondent Society to start a branch office. The grant of permission was based on certain conditions and condition No.9 clearly indicated that the grant is for a period of one year and that it will be extended only after evaluation of the functioning.

2. Learned counsel appearing for the respondent society submits that after evaluation, his branch had been permitted to be continued and it is still functioning. Having regard to the fact that subsequent orders had already been passed pursuant to Ext.P4, I do not think it necessary to keep the writ petition pending. Petitioner will have to challenge the subsequent order, if so advised.

Reserving the right of the petitioner to challenge the said

W.P(C) No.11919/14

-:2:-

proceedings, this writ petition is closed leaving open all contentions urged in this writ petition.

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp
27/10/2015

Rp

//True Copy//

P.S to Judge