

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

FRIDAY, THE 26TH DAY OF JUNE 2015/5TH ASHADHA, 1937

WP(C).No. 16521 of 2012 (M)

PETITIONER:

SETHUMADHAVAN.K., KUNIYIL HOUSE,
PURAMERI P.O., VATAKARA.

BY ADV. SRI. MOHANAN V.T.K.

RESPONDENTS:

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1. SECRETARY TO GOVERNMENT
CO-OPERATIVE DEPARTMENT,
GOVERNMENT OF KERALA, SECRETARIAT,
THIRUVANANTHAPURAM, PIN-695001.
 2. REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM, PIN-695001.
 3. KAKKATTIL CO-OPERATIVE RURAL BANK,
REPRESENTED BY ITS SECRETARY, KAKKATTIL P.O.,
KOZHIKODE DISTRICT, PIN:673 507.

R3 BY ADV. SRI.K.K.JAYARAJ NAMBIAR
BY GOVERNMENT PLEADER SRI. SHYSON MANGUZHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26-06-2015,
ALONG WITH WPC. 32714/2014, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF THE LETTER OF THE JOINT REGISTRAR DATED 14.5.2010
- EXHIBIT P2 : TRUE COPY OF THE DECISION OF THE 3RD RESPONDENT BANK DATED 5.6.2010 NO.IX
- EXHIBIT P3 : TRUE COPY OF THE DECISION OF THE 3RD RESPONDENT BANK TO RECOVER THE EXCESS SALARY FROM THE PETITIONER
- EXHIBIT P4 : TRUE COPY OF THE LETTER SUBMITTED BY 3RD RESPONDENT BANK TO THE GOVERNMENT THROUGH THE REGISTRAR OF CO-OPERATIVE SOCIETIES
- EXHIBIT P5 : TRUE COPY OF THE ORDER DATED 2.8.2011 OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES
- EXHIBIT P6 : TRUE COPY OF THE JUDGMENT IN WP(C)NO.,1424/2010 DATED 9.2.2010

RESPONDENTS' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

**WP(C) NOs. 16521 OF 2012
& 32714 OF 2014**

Dated this the 26th day of June, 2015

JUDGMENT

The exemption from educational qualification for the purpose of promotion is seen granted to the petitioners. This is on the basis of a resolution passed by the managing committee of the Societies.

2. Relaxation is in fact seen granted from the date of the order only. It ought to be from the date sought in the resolution recommending relaxation of qualification.

3. The orders granting exemption in the above two writ petitions are modified making it clear that it will take effect from the date sought in the resolutions. The issue in fact covered by the judgment in WP(C) No. 1424/2010 of this court.

The Writ Petitions are disposed of. No costs.

**V. CHITAMBARESH
JUDGE**