

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

MONDAY, THE 29TH DAY OF JUNE 2015/8TH ASHADHA, 1937

WP(C).No. 16047 of 2011 (E)

PETITIONER : -

RENJITH.T., AGED 32 YEARS,
S/O.KUNHIKANARAN K.K.,
'RESHMI' HOUSE, CHERUPPAP.O.,
MAVOOR (VIA), KOZHIKODE-673 661.

BY ADVS.SRI.P.SANJAY
SMT.A.PARVATHI MENON
SRI.BIJU MEENATTOOR

RESPONDENTS : -

1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,
KOZHIKODE.
2. ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES,
MEVOOR, KOZHIKODE.
3. THE MAVOOR SERVICE CO-OPERATIVE BANK,
MAVOOR P.O., KOZHIKODE,
REPRESENTED BY ITS SECRETARY.

R3 BY ADV.SRI.T.A.SHAJI
R1 & 2 BY Sr. GOVERNMENT PLEADER SRI. SHYSON P. MANGUZHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
29-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT P1 : TRUE COPY OF THE REPRESENTATION GIVEN BY PETITIONER
DATED 05.08.2009.

EXHIBIT P2 : TRUE COPY OF THE REPRESENTATION DATED 02.09.2010.

EXHIBIT P3 : TRUE COPY OF THE REPRESENTATION.

EXHIBIT P4 : TRUE COPY OF REPLY RECEIVED FROM THE JOINT REGISTRAR
DATED 27.08.2010.

EXHIBIT P5 : TRUE COPY OF THE JUDGMENT IN W.P.38265/10 DATED 11.01.2011.

EXHIBIT P6 : TRUE COPY OF PLAINT FILED BEFORE THE TRIBUNAL.

EXHIBIT P7 : TRUE COPY OF CHALLAN EVIDENCING PAYMENT OF REQUISITE
PLAINT FILED BEFORE THE TRIBUNAL.

EXHIBIT P8 : TRUE COPY OF THE STAFF PATTERN.

EXHIBIT P8(a) : TRUE COPY OF THE PROPOSED STAFF PATTERN.

EXHIBIT P9 : TRUE COPY OF THE REPRESENTATION DATED 28.05.2011.

EXHIBIT P10 : TRUE COPY OF THE INTERVIEW MEMO DATED 27.05.2011.

RESPONDENTS' EXHIBITS : NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 16047 of 2011

Dated this the 29th day of June, 2015

JUDGMENT

The petitioner has filed the above writ petition seeking the following reliefs:

- i) Issue a writ of mandamus directing respondents 1 and 2 to ensure that petitioner is promoted to the post of junior clerk available in the third respondent Bank considering the fact that he is the only qualified candidate available for the same.
- ii) Direct respondent 1 and 2 that the third respondent Bank makes promotions in accordance with Exhibit P8 existing staff pattern.
- iii) Direct respondent 1 and 2 to consider on merit Exhibit P9 representation and pass orders on the same.
- iv) Declare that the Bank is not entitled to make appointment to the post of appraiser when the same is equated to that of junior clerk.
- v) Issue such other writ order or direction that this Hon'ble Court may deem fit.
- vi) Award cost of this petition.

2. Now, the learned counsel for the petitioner submitted across the bar what are said to be the proceedings of the third respondent, dated 13.06.2011, promoting the petitioner. In view of the subsequent developments, the learned counsel has submitted that the relief sought in the writ petition has already been provided to the petitioner and that the writ petition does not survive for further consideration.

3. The learned counsel for the respondent, on her part, has concurred with the learned counsel for the petitioner to the effect that the petitioner has already been promoted through proceedings, dated 13.06.2011.

In the facts and circumstances the writ petition, based on the representation made by the learned counsel for the petitioner, stands closed as having not survived for further consideration.

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-