

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No. 14477 of 2014 (H)

PETITIONER:

**SHAJI PULLOLIL,
S/O CHELLAPPAN, PULLOLIL HOUSE, NETTITHOZHU P.O
VADANMEDU, IDUKKI DISTRICT**

**BY ADVS.SRI.V.G.ARUN
SRI.T.R.HARIKUMAR**

RESPONDENTS:

- 1. THE VANDANMEDU SERVICE CO-OPERATIVE BANK LTD, NO K 244
REPRESENTED BY ITS SECRETARY, NETTITHOZHU P.O
VANDANMEDU, IDUKKI DISTRICT 685551**
- 2. THE PART TIME ADMINISTRATOR,
VADANDEDU SERVICE CO-OPERATIVE BANK LTD NO K 244
NETTITHOZHU P.O, VANDANMEDU, IDUKKI DISTRICT 685551**
- 3. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL),
IDUKKI PAINAVU, IDUKKI DISTRICT 685603**
- 4. THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL),
UDUMBANCHOLA, NEDUMKANDAM, IDUKKI DISTRICT 685554**

***ADDL. R5 IS IMPEADED**

- 5. V.N.VIJAYAN, AGED 57 YEARS
S/O.NARAYANAN, VALIPLAKKAL HOUSE, NETTITHODU.P.O.
IDUKKI -684451.**

ADDL.R5 IS IMPEADED AS PER ORDER DATED 25/06/2014 IN IA 8026/2014.

**R2 BY ADV. SRI.LIJL.J.VADAKEDOM
R3 & R4 BY SPL. GOVERNMENT PLEADER SRI. D. SOMASUNDARAM
ADDL.R5 BY ADVS. SRI.JOHNSON MANAYANI
SRI.BENHUR JOSEPH MANAYANI
SRI.JEEVAN MATHEW MANAYANI**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
07-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 14477 of 2014 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1 COPY OF THE DETAILS OF THE LOAN TAKEN BY SRI C.C. THOMAS
AND LISSY THOMAS**

**EXHIBIT P2 COPY OF THE ORDER NO CRP 192/12 DATED 17-07-2012 OF THE 3RD
RESPONDENT**

**EXHIBIT P3 COPY OF THE NOTICE DATED 08-07-2011 ISSUED BY THE OFFICE
INSPECTOR OF THE 4TH RESPONDENT**

**EXHIBIT P4 COPY OF THE REPRESENTATION FILED BY THE PETITIONER
BEFORE THE 3RD RESPONDENT DATED 31-05-2014**

PETITIONER(S)' ANNEXURES

**ANNEXURE A1- THE TRUE COPY OF THE JUDGMENT IN W.P.C. NO. 14164 OF 2013
DATED 13.08.2013**

**ANNEXURE A2- THE TRUE COPY OF THE LETTER ISSUED BY THE THIRD
RESPONDENT DATED 11.12.2013**

RESPONDENT(S)' EXHIBITS:-

**EXHIBIT R5(a) THE TRUE COPY OF THE JUDGMENT IN W.P.C. NO. 14164 OF
2013 DATED 13.08.2013**

**EXHIBIT R5(b) THE TRUE COPY OF THE LETTER ISSUED BY THE THIRD
RESPONDENT DATED 11.12.2013**

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 14477 OF 2014

Dated this the 07th day of January, 2015

JUDGMENT

The writ petition has been filed with the following prayers:-

- i) to issue a writ of mandamus directing the third respondent to appoint the petitioner and 2 among the four members who continued in the managing committee till the appointment of Part-time Administrator as members of administrative committee, in the event of the Part-time Administrator of the first respondent society being replaced with an administrative committee;
- ii) to grant such other relief's as this Honourable Court may deem fit in the circumstances of this case.

2. The question of allowing the prayers arises only in the event of the part-time administrator of the first respondent society being replaced by an administrative committee. The Special Government Pleader on instructions submits that there is no move at all to replace the part-time administrator by an administrative committee as alleged. Therefore the prayers sought for by the petitioner in this writ petition are misconceived.

3. The part-time administrator was appointed as early as on 29.05.2014 and expeditious steps have to be taken to conduct the election. I direct that steps to prune the voters list

in accordance with Rule 18A of the Kerala Co-operative Societies Rules shall be taken forthwith. Every endeavour shall be made to conduct the election and put the newly elected Managing Committee in office on or before 25.05.2015.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS