

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

WP(C).No. 14398 of 2015 (Y)

PETITIONER:

K.A.ABDUL RAHMAN, KARUPPAM HOUSE,
CHERANELLOOR, ERNAKULAM.

BY ADV. SRI.P.P.JACOB

RESPONDENTS:

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1. THE CHERANELLOOR SERVICE CO OPERATIVE BANK LTD.NO.62,
CHERANELLOOR, ERNAKULAM, PIN-682 034,
REPRESENTED BY ITS SECRETARY.
 2. THE ADMINISTRATOR OF THE CHERANELLOOR
SERVICE CO OPERATIVE BANK LTD.NO.62
CHERANELLOOR, ERNAKULAM, PIN-682 034.
 3. THE RETURNING OFFICER, OFFICE INSPECTOR OF
ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES(G)
KANAYANNOOR, CHERANELLOOR SERVICE CO OPERATIVE
BANK LTD.NO.62, CHERANELLOOR, ERNAKULAM, PIN-682 034.
 4. THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (G)
KANAYANNOOR/ELECTORAL OFFICER, CHERANELLOOR
SERVICE CO-OPERATIVE BANK LTD. NO. 62,
CHERANELLOOR, ERNAKULAM PIN 682 034.
 5. THE STATE CO-OPERATIVE ELECTION COMMISSION
THIRUVANANTHAPURAM, 3RD FLOOR, CO-BANK TOWERS
PALAYAM, VIKAS BHAVAN P.O, THIRUVANANTHAPURAM-695 033.
- ADDL.6. THE STATE CO-OPERATIVE ELECTION COMMISSION,
THIRUVANANTHAPURAM, 3RD FLOOR, CO-OPERATIVE
BANK TOWERS, PALAYAM, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM - 695 033.

ADDL.R6 IS IMPEADED AS PER ORDER IN IA NO. 8804/2015 DATED 24.06.2015.

R1 & 2 BY ADV. SRI.T.P.GOPAKUMAR
ADDL.R.6 BY ADV. SRI.V.A.MUHAMMED
ADDL BY ADV. SRI.V.RAJASEKHARAN NAIR
ADDL BY ADV. SRI.P.N.MOHANAN
BY SPECIAL GOVERNMENT PLEADER SRI. D. SOMASUNDARAM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24-06-2015,
ALONG WITH WPC. 15125/2015, WPC. 15147/2015, THE COURT ON THE SAME
DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 - TRUE PHOTOCOPY OF THE PROPOSAL FOR AMENDMENT OF BYELAW
- EXHIBIT P2 - TRUE PHOTOCOPY OF THE REGISTRATION CERTIFICATE OF BYELAW AMENDMENT ISSUED BY THE JOINT REGISTRAR
- EXHIBIT P3 - TRUE PHOTOCOPY OF THE RELEVANT PAGES OF THE PRELIMINARY VOTERS LIST, LAST PAGES OF THE VOTERS LIST OF WARD NOS.1 TO 13.
- EXHIBIT P4 - TRUE PHOTOCOPY OF THE ELECTION NOTIFICATION PUBLISHED BY THE 5TH RESPONDENT DATED 31.3.2015
- EXHIBIT P5 - TRUE PHOTOCOPY OF THE OBJECTION FILED BY THE PETITIONER DATED 26.4.2015 BEFORE THE 4TH RESPONDENT
- EXHIBIT P6 - TRUE PHOTOCOPY OF THE FINAL LIST OF VOTERS PUBLISHED BY 4TH RESPONDENT, RELEVANT PAGES, LAST PAGES OF FINAL VOTERS LIST CONTAINED IN WARD NO.1 TO 13
- EXHIBIT P7 - TRUE PHOTOCOPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE THE 5TH RESPONDENT 8.5.2015

RESPONDENT(S)' EXHIBITS

- EXHIBIT R6(a) - TRUE COPY OF THE JUDGMENT IN WP(C) NO. 2696 OF 2015-J DATED 18.03.2015.
- EXHIBIT R6(b) - TRUE COPY OF THE DECISION REPORTED IN AIR 2001 SUPREME COURT 3982 DATED 25.09.2001.
- EXHIBIT R6(c) - TRUE COPY OF THE DECISION REPORTED IN 1988 KHC 896 DATED 20.01.1988.

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NOs. 14398, 15125 & 15147 OF 2015

Dated this the 24th day of June, 2015

JUDGMENT

These writ petitions are disposed of on consensus as follows:

(i) The Administrator shall prepare the list of eligible members on or before 31.07.2015.

(ii) A resolution fixing the date and venue of election shall be passed on or before 15.08.2015.

(iii) Every endeavour shall be made to conduct the election on or before 31.10.2015.

(iv) It shall be ensured that a new committee assumes office on or before 02.11.2015.

(v) All other contentions are left open.

The Writ Petitions are disposed of.

**V. CHITAMBARESH
JUDGE**