

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

WP(C).No. 15857 of 2015 (F)

PETITIONER:

**THE MULLOOR RURAL SERVICE CO-OPERATIVE SOCIETY LTD.NO.T 1499,
MULLOOR P.O., THIRUVANANTHAPURAM
REPRESENTED BY ITS SECRETARY.**

BY ADV. SRI.K.B.PRADEEP

RESPONDENTS:

- 1. THE GOVERNMENT OF KERALA
REPRESENTED BY THE PRINCIPAL SECRETARY
DEPARTMENT OF CO-OPERATION, THIRUVANANTHAPURAM
PIN-695001.**
- 2. THE JOINT REGISTRAR (GENERAL)
CO-OPERATIVE DEPARTMENT, THIRUVANANTHAPURAM
PIN-695001.**

BY SR. GOVERNMENT PLEADER SRI. K.C.VINCENT

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
05-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: THE TRUE COPY OF THE ORDER RECEIVED BY THE
PETITIONER ON 28.01.2015 ALONG WITH ENGLISH TRANSLATION**

**EXHIBIT P2: TRUE COPY OF THE APPEAL NO. 1827/C-1/2015/CO-OP WITHOUT
ANNEXURES**

**EXHIBIT P3: THE TRUE COPY OF THE ORDER DATED 17.4.2015 BY THE
GOVERNMENT PASSED IN EXT. P2 APPEAL ALONG WITH ENGLISH
TRANSLATION**

RESPONDENT(S)' EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 15857 OF 2015

Dated this the 5th day of June, 2015

JUDGMENT

An appeal under Section 83(1)(j) of the Kerala Co-operative Societies Act, 1969 (for short the 'Act') lies against any order made by any person exercising all or any of the powers of the Registrar. Ext. P1 order appointing an inspector to conduct an inspection under Section 66 of the Act and to submit a report within one month is one such. Ext. P2 appeal (ofcourse quoting a wrong provision) is perfectly maintainable which ought to be disposed of on merits by the Government. Ext.P3 order dismissing the appeal as not maintainable is obviously bad in law and is hence quashed.

2. The first respondent is directed to re-consider Ext. P2 appeal with notice to the petitioner within a

period of two months. Any proceedings pursuant to Ext. P1 order will be subject to the final verdict in Ext.P2 appeal.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS