

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

WEDNESDAY, THE 25TH DAY OF FEBRUARY 2015/6TH PHALGUNA, 1936

WP(C).No. 16527 of 2014 (M)

PETITIONER:

A.K.GOPALAN, AGED 67 YEARS,
S/O. MOOTHURAKUTTY, MARAPPALAM,
THALLAKKAL, POONOR, UNNIKULAM P.O.,
KOZHIKODE DISTRICT PIN-673574.

BY ADVS. SRI. K. RAKESH ROSHAN
SMT. THUSHARA. V

RESPONDENTS:

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1. KERALA STATE CO-OPERATIVE ELECTION COMMISSIONER
KERALA STATE CO-OPERATIVE ELECTION COMMISSION
THIRUVANANTHAPURAM, PIN- 695 001.
 2. JOINT REGISTRAR (GENERAL)
OFFICE OF THE JOINT REGISTRAR
CO-OPERATIVE SOCIETY (GENERAL),
KOZHIKODE, PIN-673001.
 3. ASSISTANT REGISTRAR (GENERAL) OF CO-OPERATIVE SOCIETIES
KOYILANDY, KOZHIKODE DISTRICT, PIN-673325.
 4. UNNIKULAM SERVICE CO-OPERATIVE SOCIETY BANK LTD.
S NO. D 2356, REPRESENTED BY ITS SECRETARY
P.O. EKAROOR, KOZHIKODE DISTRICT, PIN-673574.
 5. ADMINISTRATIVE COMMITTEE, UNNIKULLAM CO-OPERATIVE
SOCIETY BANK LTD., NO. D 2356, P.O. EKAROOR,
KOZHIKODE DISTRICT, PIN-673 574.

R4 & R5 BY ADV. SRI. P. P. JACOB
R4 & R5 BY ADV. SRI. T. P. GOPAKUMAR
R1-R3 BY GOVERNMENT PLEADER SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-02-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 - TRUE COPY OF THE DECISION DATED 17-12-2013 FOR CONDUCT OF ELECTION TO THE MANAGING COMMITTEE OF THE 4TH RESPONDENT BANK.
- EXHIBIT P2 - TRUE COPY OF THE APPLICATION SUBMITTED BEFORE 1ST RESPONDENT THROUGH 3RD RESPONDENT ON 23-12-2013.
- EXHIBIT P3 - TRUE COPY OF THE ORDER DATED 7-1-2014 OF 1ST RESPONDENT REJECTING THE APPLICATION FOR ELECTION.
- EXHIBIT P4 - TRUE COPY OF THE AMENDMENT MADE IN THE BYLAW CLAUSE NO. 19 OF 4TH RESPONDENT.
- EXHIBIT P5 - TRUE COPY OF THE ORDER DATED 24-2-2014 OF THE 2ND RESPONDENT.
- EXHIBIT P6 - THE TRUE COPY OF THE COMPLAINT OF SOME ALLEGED FORMER A-CLASS MEMBERS DATED 2-6-2014.
- EXHIBIT P7 - THE TRUE COPY OF THE REPORT OF THE 3RD RESPONDENT DATED 5-6-2014.
- EXHIBIT P8 - THE TRUE COPY OF THE ORDER OF THE 2ND RESPONDENT DATED 13-6-2014.

RESPONDENT(S)' EXHIBITS:

- EXHIBIT R5(a) - TRUE PHOTOCOPY OF THE RELEVANT PAGE OF THE AUDIT CERTIFICATE FOR THE YEAR 2012-2013.
- EXHIBIT R5(b) - TRUE PHOTOCOPY OF THE 2ND PAGE OF THE AUDIT REPORT FOR THE YEAR 2012-2013.
- EXHIBIT R5(c) - TRUE PHOTOCOPY OF THE PAGE1 & 5 OF THE AUDIT REPORT FOR THE YEAR 2012-2013.

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 16527 OF 2014

Dated this the 25th day of February, 2015

JUDGMENT

More than one year has elapsed since the Administrative Committee has replaced the Managing Committee. The election of the members to the Managing Committee cannot brook further delay. The Managing Committee points out that the list of members has to be finalised consequent on the increase in share value. Form 6B register of the active members should also be constructed and maintained for the election.

2. I therefore direct the second respondent to see to it that the new Managing Committee assumes office after election. Steps to conduct the election shall commence forthwith and the process of election shall be completed within a period of five months from today. The exercise preparing the list of members and constructing Form 6B register shall be completed within a period of two months.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**