

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

WP(C).No. 17139 of 2015 (N)

PETITIONER(S):

**SMT. ANANDI KALLANGADI, AGED 40 YEARS,
W/O.CHANDRAN, CHENAKODE P.O., HIDAYATH NAGAR,
MADHUR, KASARAGOD. (HONORARY SECRETARY,
KASARAGOD DISTRICT SCHEDULED CASTE AND SCHEDULED
TRIBE LABOUR CONTRACT CO-OPERATIVE SOCIETY LTD. NO.C-849,
BEHIND CPI (M) DISTRICT COMMITTEE OFFICE, B.C. ROAD,
POST VIDYANAGAR, KASARAGOD - 671 123).**

BY ADV. SRI.S.JIJI

RESPONDENT(S):

- 1. FR.JOSHY ABRAHAM,
THE MINISTER, HOLY TRINITY ASHRAM, KUKKUMKUDALU,
BELA.P.O., KASARAGOD - 671 326.**
- 2. THE PRESIDENT,
KASARAGOD CONSUMER DISPUTES REDRESSAL FORUM,
CIVIL STATION COMPOUND, VIDYANAGAR,
KASARAGOD - 671 123.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
15-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 17139 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

P1: TRUE COPY OF THE COMPLAINT DATED 05.06.2012.

P2: TRUE COPY OF THE ORDER DATED 11.02.2013 OF CDRF KASARAGOD.

P3: TRUE COPY OF THE EP.NO.35/2013 FILED BEFORE THE CDRF, KASARAGOD.

**P4: TRUE COPY OF THE NON BAILABLE ARREST WARRANT ISSUED BY THE
2ND RESPONDENT IN EP.NO.35/2013.**

**P5: TRUE COPY OF THE LETTER DATED 16.02.2015 ISSUED BY JOINT REGISTRAR OF
CO-OPERATIVE SOCIETIES, KASARAGOD.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No. 17139 of 2015

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Dated this the 15th day of October, 2015

J U D G M E N T

The petitioner challenges arrest warrant issued by the Consumer Disputes Redressal Forum, Kasaragod. The petitioner submits that the arrest warrant cannot be issued as against the office bearers of a Society and assets of Societies are available and the Forum can proceed against the assets of the Society.

2. This Court is of the view that the petitioner shall raise her objection before the Forum. This shall be done within two weeks from the date of receipt of the copy of this judgment. Thereafter the Forum shall pass appropriate orders after hearing the petitioner. Till a decision is taken as above, the arrest warrant already issued shall be suspended. Further action would depend upon the out come of the decision of the Forum.

The writ petition is disposed of, as above.

sd/-

sab

A.MUHAMED MUSTAQUE, JUDGE