

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

WP(C).No. 20701 of 2011 (K)

PETITIONER:

**M.SATHEERATNAM
MUTHUVARA HOUSE
PO PERINTHALMANNA.**

BY ADV. SRI.P.P.JACOB

RESPONDENTS:

- 1. PERINTHALMANNA TALUK CO-OPERATIVE EDUCATIONAL
EDUCATIONAL SOCIETY LTD.NO.M 358, PERINTHALMANNA
PIN 679 322, REP.BY ITS SECRETARY.**
- 2. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES(G), MALAPPURAM, PIN 676 121.**
- 3. STATE OF KERALA, REP.BY SECRETARY TO
GOVERNMENT, CO-OPERATION (C) DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM., PIN - 695 001**

R1 BY ADV. SRI.U.K.DEVIDAS

R2 & R3 BY GOVERNMENT PLEADER SRI. GIKKU JACOB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
22-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

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- P1 : COPY OF THE CLAUSE 5 OF THE BYELAW OF THE FIRST RESPONDENT
PAGES 1 & 2**
- P2 : COPY OF THE AMENDED BYELAW OF THE FIRST RESPONDENT DATED
12.03.2006**
- P3 : COPY OF THE ORDER OF THE JOINT REGISTRAR DATED 16.06.2006**
- P4 : COPY OF THE CLAUSE 5 OF BYELAW AMENDED IN THE YEAR 2007
PAGES 1,2 & 3**
- P5 : COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER
DATED 2.12.2005 BEFORE THE SECOND RESPONDENT**
- P6 : COPY OF THE STATEMENT PRODUCED BY THE PETITIONER BEFORE
THE SECOND RESPONDENT DATED 9.3.2006**
- P7 : COPY OF THE ORDER ISSUED BY THE SECOND RESPONDENT DATED
10.03.2010**
- P8 : COPY OF THE APPEAL DATED 05.05.2010 FILED BY THE PETITIONER
BEFORE THE 3RD RESPONDENT**
- P9 : COPY OF THE GOVERNMENT ORDER DATED 24.03.1982 VIDE NO. G.O.(MS)
116/82/AD**
- P10: COPY OF THE APPELLATE ORDER ISSUED BY THIRD RESPONDENT
DATED 24.05.2011**
- P11: COPY OF THE NOTICE ISSUED BY FIRST RESPONDENT DATED 1.3.2007**
- P12. COPY OF THE PAGE 1 TO 3 OF THE BYELAW OF THE FIRST RESPONDENT**
- P13. COPY OF THE OBJECTION FILED BY THE PETITIONER RELATING TO
THE BYELAW AMENDMENT ON 25.03.2007**
- P14. COPY OF THE PETITION FILED BY THE PETITIONER BEFORE THE
SECOND RESPONDENT DATED 08.04.2007**
- P15. COPY OF THE COMMUNICATION ISSUED BY SECOND RESPONDENT TO
THE PETITIONER DATED 18.08.2007**
- P16. COPY OF THE REPORT FILED BY THE ASSISTANT REGISTRAR BEFORE
THE SECOND RESPONDENT DATED 19.12.2008**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 20701 OF 2011

Dated this the 22nd day of January, 2015

JUDGMENT

It is beyond dispute that the voters list requires to be pruned in terms of Sections 16A and 19A of the Kerala Co-operative Societies Act, 1969 and Rule 18A of the Kerala Co-operative Societies Rules, 1969. The petitioner has sought for identification of active members eligible to vote for which he has to move respondents 1 and 2.

2. Any motion made in that regard shall be dealt with by respondents 1 and 2 well before the process of election starts. It is unnecessary therefore to consider the legality of Exts. P7 and P10 orders impugned in this writ petition long back.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS