

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

WP(C).No. 19150 of 2015 (P)

PETITIONER(S):

N.VIJAYAN, AGED 60 YEARS
S/O.NARAYANAN, THEKKETTAM HOUSE,
PALLITHODU P.O., THURAVOOR
CHERTHALA, ALAPPUZHA DISTRICT.

BY ADV. SRI.P.K.SHAJU

RESPONDENT(S):

1. THE STATE CO-OPERATIVE CHIEF ELECTION COMMISSIONER,
THIRUVANANTHAPURAM - 695 001.
2. THE RETURNING OFFICER, POZHICHIRA PATTIKAJATHI
INDUSTRIAL CO-OPERATIVE SOCIETY LTD. NO.S IND(A) 158
CHERTHALA & JUNIOR CO-OPERATIVE INSPECTOR,
DISTRICT INDUSTRIAL CENTRE, ALAPPUZHA.
3. THE POZHICHIRA PATTIKAJATHI INDUSTRIAL CO-OPERATIVE
SOCIETY LTD. NO.S IND (A) 158, PALLITHODU P.O.,
CHERTHALA, REP. BY ITS SECRETARY.
4. THE DEPUTY REGISTRAR, DISTRICT INDUSTRIAL CO-OPERATIVE
SOCIETY, ALAPPUZHA.

R BY SR.GOVERNMENT PLEADER SRI.K.S.VINCENT

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
25-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) NO.19150 OF 2015

PETITIONER'S EXTS:

- EXT.P1 TRUE COPY OF THE JUDGMENT DATED 28/6/2010 PASSED BY THIS
 HON'BLE COURT IN W.P.(C) NO.20115/2010 (L)
- EXT.P2 TRUE COPY OF THE ARC NO.75/2010 ON THE FILE OF THE
 HON'BLE CO-OPERATIVE ARBITRATION COURT,
 THIRUVANANTHAPURAM.
- EXT.P3 TRUE COPY OF THE ELECTION NOTIFICATION DATED 28/5/2015
 ISSUED BY THE FIRST RESPONDENT.
- EXT.P4 TRUE COPY OF THE REPRESENTATION SUBMITTED BEFORE
 RESPONDENT NO.1
- EXT.P5 TRUE COPY OF THE REPRESENTATION SUBMITTED BEFORE
 RESPONDENT NO.2

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) 19150 OF 2015

Dated this the 25th day of June, 2015

J U D G M E N T

The mere pendency of ARC.No.75/2010 on the file of the Co-operative Arbitration Court is no ground to put off the election to the Managing Committee of the third respondent Society. The election is slated on 29.6.2015 and the petitioner is free to challenge the election appropriately by resort to Section 69 of the Kerala Co-operative Societies Act.

The writ Petition is dismissed subject to the above reservation.

Sd/-
V.CHITAMBARESH,
Judge.

nj.