

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937

WP(C).No. 19753 of 2015 (T)

PETITIONER:

RAMESH, AGED 43 YEARS,
SON OF GOVINDAN, OLASSERY, KODUMBU,
PALAKKAD.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS:

THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,
PALAKKAD-678 001.

R BY SRI. K.C. VINCENT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
05-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

: 2 :

APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT-P1: A TRUE COPY OF THE APPLICATION DATED MARCH 26, 2015
SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT.

EXHIBIT-P1(a): A TRUE COPY OF THE ENGLISH TRANSLATION OF THE COVERING
LETTER ACCOMPANYING EXHIBIT-P1 APPLICATION.

RESPONDENTS' EXHIBITS :

/True Copy/

P.A to Judge.

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 19753 of 2015 (T)

Dated this the 5th day of August, 2015.

JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader for the respondent, apart from perusing the record.

2. The petitioner, the Chief promoter of a Society to be registered, is said to have submitted Ext.P1 application on 26.03.2015 before the respondent for the registration of the said society. Since the respondent has not acted on the application of the petitioner within the statutorily permissible period of 90 days, the petitioner has approached this Court.

3. On the last occasion, the learned Government Pleader, on instructions, submitted that the application was returned to the petitioner on certain technical grounds through registered post. Today, the learned counsel for the petitioner has confirmed that the petitioner received the application, though not through registered post. At any rate, the learned counsel for the petitioner has submitted that the application was returned on the ground that it

was not in the prescribed proforma. According to him, it being a minor defect, the petitioner has already taken steps to cure the defects and re-present the application before the respondent.

4. The learned Government Pleader, on his part, has submitted that as and when the petitioner re-submits a proper application, it will be considered by the respondent in accordance with law.

Having regard to the respective submissions of the learned counsel for the petitioner and the learned Government Pleader, this Court disposes of the writ petition with a direction to the respondent to consider the petitioner's application, if re-submitted in proper format, as expeditiously as possible, at any rate, within the statutory time reckoning from the date of re-submission.

sd/- DAMA SESHADRI NAIDU, JUDGE.

