

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 1937

WP(C).No. 20219 of 2015 (B)

PETITIONER : -

P.K.PHILIP, AGED 56 YEARS,
S/O.P.K.KURUVILA, PATTARETTU HOUSE,
KAVIYOOR P.O., THIRUVALLA - 689 111,
PATHANAMTHITTA DISTRICT.

BY ADVS.SRI.VARUGHESE M EASO
SRI.VIVEK VARGHESE P.J.

RESPONDENTS:-

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO CO-OPERATION DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
2. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL),
MINI CIVIL STATION, PATHANAMTHITTA P.O.,
PATHANAMTHITTA - 689 645.

BY SR. GOVERNMENT PLEADER SRI. K.C. VINCENT

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS : -

EXHIBIT P1 : TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER
BEFORE THE 2ND RESPONDENT DATED 16.06.2015 ALONG WITH
LIST.

EXHIBIT P1(a) : TRUE ENGLISH TRANSLATION OF THE EXHIBIT P1.

EXHIBIT P2 : TRUE COPY OF THE ACKNOWLEDGEMENT NO.CRP(2)3398/15
DATED 16/6/15 ISSUED FROM THE OFFICE OF THE 2ND
RESPONDENT.

EXHIBIT P2(a) : TRUE ENGLISH TRANSLATION OF EXHIBIT P2.

EXHIBIT P3 : TRUE COPY OF THE JUDGMENT DATED 11.09.13 IN WP(C)22645/13
OF THIS HON'BLE COURT.

EXHIBIT P4 : TRUE COPY OF THE RELEVANT PAGES OF RULES, BYE-LAWS OF
THE SERVICE CO-OPERATIVE SOCIETY BANK, NO.A 707,
KAVIYOOR.

EXHIBIT P4(a) : TRUE ENGLISH TRANSLATION OF THE EXHIBIT P4.

EXHIBIT P5 : TRUE COPY OF COMPLAINT DATED 20.06.15 BY THE PETITIONER
TO THE 2ND RESPONDENT.

RESPONDENTS' EXHIBITS : - NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 20219 of 2015

Dated this the 06th day of July, 2015

JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. Briefly stated, the petitioner, a member of Kaviyoor Service Co-operative Bank Ltd, has a grievance that the Managing Committee of the Bank has enrolled about 1500 ineligible members. Aggrieved thereby, seeking their removal, the petitioner is said to have submitted Exhibits P1 and P5 representations before the second respondent. For its expeditious disposal, the petitioner has approached this Court.

3. In response to the submissions made by the learned counsel for the petitioner, the learned Government Pleader has submitted that the second respondent does not have any objection to consider petitioner's Exhibits P1 and P5 representations expeditiously.

4. In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioner

and the learned Government Pleader for the respondents, this Court, without expressing any opinion on the merits of the matter, disposes of the present writ petition with a direction to the second respondent to consider Exhibits P1 and P5 representations of the petitioner in accordance with law, after affording an opportunity of hearing to all concerned, and pass appropriate orders thereon as expeditiously as possible, at any rate, before the commencement of next election process.

5. When the learned Government Pleader has submitted that for the purpose of considering the request of the petitioner concerning the removal of the alleged ineligible members, the second respondent is required to issue notice to all the affected members, the learned counsel for the petitioner has volunteered that the petitioner would bear the entire expenditure as per the demand of the second respondent for serving notice on the affected persons.

With the above observation, this writ petition is disposed of. No order as to costs.

DAMA SESHADRI NAIDU
JUDGE

DMR/-