

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 10TH DAY OF FEBRUARY 2015/21ST MAGHA, 1936

WP(C).No. 26113 of 2010 (L)

PETITIONER:

**ALAVIKUTTY.A., S/O.MOIDEEN,
P.O. PONMALA, ERNAD TALUK, MALAPPURAM DISTRICT.**

**BY ADVS.SRI.M.V.BOSE
SRI.VINOD MADHAVAN**

RESPONDENTS:

- 1. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES
THIRUVANANTHAPURAM.**
- 2. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), OFFICE OF THE JOINT REGISTRAR
OF CO-OPERATIVE SOCIETIES, MALAPPURAM.
MALAPPURAM P.O., PIN - 676 505.**
- 3. THE ASSISTANT REGISTRAR/SPECIAL
ARBITRATOR, MALAPPURAM DISTRICT CO-OPERATIVE BANK
MALAPPURAM, MALAPPURAM P.O., PIN - 676 505.**
- 4. THE SPECIAL SALE OFFICER,
THE MALAPPURAM DISTRICT CO-OPERATIVE BANK LTD.
MALAPPURAM. MALAPPURAM P.O., PIN - 676 505.**

R,R1 - R4 BY ADV. GOVERNMENT PLEADER, SRI.GIKKU JACOB

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

W.P.(C) No.26113/2010

APPENDIX

PETITIONER'S EXTS:

- EXT.P1: COPY OF NOTICE DT.15.7.2010.
- EXT.P2: COPY OF REPLY DT.2.8.2010 RECEIVED FROM THE 3RD RESPONDENT.
- EXT.P3: COPY OF REPLY DT.2.8.2010 RECEIVED FROM THE 4TH RESPONDENT.
- EXT.P4: COPY OF APPLICATION DT.23.7.2010.
- EXT.P5: COPY OF AFFIDAVIT AND APPLICATION DT.23.7.2010.

//TRUE COPY//

PA TO JUDGE

V. CHITAMBARESH, J.

W.P.(C).No.26113 OF 2010

Dated this the 10th day of February, 2015

J U D G M E N T

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The parties are at variance as to whether the award in A.R.C. 161/2006-07 passed by the 3<sup>rd</sup> respondent has been despatched by registered post. The duty vests in the 3<sup>rd</sup> respondent to despatch the copy of the award by registered post under Rule 68 of the Kerala Co-operative Societies Rules 1969. I, therefore, direct the 3<sup>rd</sup> respondent to despatch a copy of the award in A.R.C.161/2006-07 to the petitioner by registered post within a period of one month.

2. The petitioner also seeks to quash the revenue recovery proceedings initiated in execution of the award. But the award holder, who is the Malappuram District Co-operative Bank Ltd., has deliberately not been impleaded in this Writ Petition. I, therefore, reject the prayer of the petitioner to quash the revenue recovery proceedings initiated by the bank in execution of the award in question.

The Writ Petition is disposed of.

**V.CHITAMBARESH, JUDGE.**