

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 5TH DAY OF MARCH 2015/14TH PHALGUNA, 1936

WP(C).No. 26624 of 2013 (C)

PETITIONER:

**SAJEEVAN NAIR P.
SALESMAN, KEEZHATTINGAL RURAL CO-OPERATIVE SOCIETY
LTD NO T.1540, KEEZHATTINGAL P O, THIRUVANANTHAPURAM**

**BY ADVS.SRI.K.N.AJAYAN
SMT.I.VINAYAKUMARI
SRI.K.S.ARUNDAS**

RESPONDENTS:

- 1. STATE OF KERALA
REP. BY SECRETARY TO GOVERNMENT
CO-OPERATIVE DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM-695001**
- 2. REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM-695001**
- 3. KEEZHATTINGAL RURAL CO-OPERATIVE SOCIETY
LTD NO T 1540, REP BY ITS SECRETARY, KEEZHATTINGAL P O
THIRUVANANTHAPURAM-695001**

**R1 & R2 BY GOVERNMENT PLEADER SRI. T.R. RAJESH
R3 BY ADV.SRI.J.JAYAKUMAR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
05-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

- P1:- A TRUE COPY OF THE APPOINTMENT ORDER DTD 13/10/2005 OF THE 3RD RESPONDENT**
- P2:- A TRUE COPY OF THE RESOLUTION NO 161 DTD 25/7/2013 OF THE 3RD RESPONDENT**
- P3:- A TRUE COPY OF THE RESOLUTION DTD 7/10/2012 OF THE MANAGING COMMITTEE**
- P4:- A TRUE COPY OF THE ORDER DTD 9/5/2013 OF THE GOVERNMENT**
- P5:- A TRUE COPY OF THE CIRCULR NO 10/2005 DTD 13/4/2005**
- P6:- A TRUE COPY OF THE REGISTRATION CERTIFICATE DTD 25/6/2004**
- P7:- A TRUE COPY OF THE FEEDER CATEGORY APPROVED BY THE JOINT REGISTRAR**
- P8:- A TRUE COPY OF THE ORDER 5/8/2013 BY SRO NO 619/13**
- P9:- A TRUE COPY OF THE ORDER DTD 15/4/2013 OF THE JOINT REGISTRAR**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 26624 OF 2013

Dated this the 5th day of March, 2015

JUDGMENT

The petitioner who was initially recruited as a bill collector was promoted as salesman. But the promotion given was not approved relying on Circular No. 10/2005. The said Circular issued by the Registrar of Co-operative Societies applies only to credit societies. The third respondent is a miscellaneous society to which Circular No. 10/2005 does not apply. Therefore Ext. P4 order refusing to approve the promotion of the petitioner as salesman is quashed.

2. It is brought to my notice that similar employees who have become aged are promoted and approved in other societies. Ext. P8 Government Order is in relation to Nedumangad Co-operative Urban Bank Limited. Ext. P9 order is in relation to Chirayinkeezhu

Block Rural Development Co-operative Society. It needs to be considered whether a similar treatment can be extended to the petitioner also.

3. The first respondent shall pass fresh orders as regards the approval of promotion of the petitioner. The same shall be done with notice to the petitioner and the third respondent society. The exercise shall be completed within a period of two months from today.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS