

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

WEDNESDAY, THE 25TH DAY OF MARCH 2015/4TH CHAITHRA, 1937

WP(C).No. 28999 of 2012 (Y)

PETITIONER(S):

**HINDU VANITHA SANGHAM
A SOCIETY REGISTERED UNDER THE TRAVANCORE-COCHIN LITERARY
SCIENTIFIC AND CHARITABLE SOCIETIES REGISTRATION ACT OF 1955 AND
REPRESENTED BY ITS SECRETARY
SUSHAMA, DAUGHTER OF SAROJINI, AGED 62 YEARS
RESIDING AT PRIYANKA,
MANIKANTESWARAM PO, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.V.SURESH
SRI.G.SUDHEER**

RESPONDENT(S):

- 1. STATE OF KERALA
REPRESENTED BY ITS CHIEF SECRETARY
GOVERNMENT OF KERALA, SECRETARIAT
THIRUVANANTHAPURAM-695 001.**
- 2. DISTRICT COLLECTOR OF
THIRUVANANTHAPURAM, COLLECTORATE
KUDAPPANAKKUNNU, THIRUVANANTHAPURAM-695 001.**
- 3. TALUK TAHSILDAR,
TALUK OFFICE, COLLECTORATE,
KUDAPPANAKKUNNU, THIRUVANANTHAPURAM-695 001.**
- 4. REGISTRAR OF CO-OPERATIVE SOCIETIES,
DEPARTMENT OF CO-OPERATIVE SOCIETIES,
STATE OF KERALA, THIRUVANANTHAPURAM-695 001.**
- 5. DEPUTY REGISTRAR (ADMINISTRATION),
OFFICE OF THE REGISTRAR OF CO-OPERATIVE
SOCIETIES, THIRUVANANTHAPURAM-695 001.**

BY SPECIAL GOVERNMENT PLEADER SMT.SUSHEELA BHATT

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT-P1 - TRUE COPY OF THE CERTIFICATE OF REGISTRATION OF THE PETITIONER SOCIETY DATED 18-2-1956**
- EXHIBIT-P2 - TRUE COPY OF THE MEMORANDUM OF ASSOCIATION OF THE PETITIONER**
- EXHIBIT-P3 - TRUE COPY OF THE RESOLUTION DATED 8-6-2003 OF THE ASSOCIATION OF THE PETITIONER**
- EXHIBIT-P4 - TRUE COPY OF THE ORDER DATED 19-11-1956 ISSUED BY THE REVENUE DEPARTMENT**
- EXHIBIT-P5 - TRUE COPY OF THE ORDER NO.A4-12035/57/RD DATED 14-9-1957 ISSUED BY THE REVENUE DEPARTMENT (A)**
- EXHIBIT-P6 - TRUE COPY OF THE ORDER G.O.(MS)NO.157/69/RD DATED 27-3-1969**
- EXHIBIT-P7 - TRUE COPY OF THE TAX RECEIPTS DATED 16-1-2002 ISSUED BY THE CORPORATION OF THIRUVANANTHAPURAM**
- EXHIBIT-P8 - TRUE COPY OF THE PROCEEDINGS NO.C1-19566/00 DATED 12-3-1991 ISSUED BY THE DIDRECTOR OF SOCIAL WELFARE DEPARTMENT**
- EXHIBIT-P9 - TRUE COPY OF THE LETTER DATED 29-10-1997 ISSUED BY THE SUPERINTENDENT, ASHA BHAVAN, TRIVANDRUM**
- EXHIBIT-P10 - TRUE COPY OF THE GO.MS.NO.487/90/RD DATED 25-7-1990 ISSUED BY THE REVENUE (U) DEPARTMENT**
- EXHIBIT-P11 - TRUE COPY OF THE TAX RECEIPT DATED 9-4-1997 ISSUED BY THE VILLAGE OFFICER**
- EXHIBIT-P12 - TRUE COPY OF THE RECEIPT OF LICENCE FEE DATED 1-7-2002 ISSUED BY THE CORPORATION OF TRIVANDRUM**
- EXHIBIT-P13 - TRUE COPY OF THE RECEIPT OF LICENCE FEE DATED 24-2-2003 ISSUED BY THE CORPORATION OF TRIVANDRUM**
- EXHIBIT-P14 - TRUE COPY OF THE RECEIPT OF LICENCE FEE DATED 24-2-2003 ISSUED BY THE CORPORATION OF TRIVANDRUM**
- EXHIBIT-P15 - TRUE COPY OF THE LETTER DATED 16-2-1996 SENT BY THE TAHSILDAR TO THE PETITIONER'S ASSOCIATION**
- EXHIBIT-P16 - TRUE COPY OF THE APPLICATION FOR LEASE OF LAND/ RENEWAL LEASE SUBMITTED BY THE PETITIONER'S ASSOCIATION**

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EXHIBIT-P17 - TRUE COPY OF THE SHOW CAUSE NOTICE NO.45834/U1/99/RD DATED 6-8-1999 ISSUED BY THE REVENUE (U) DEPARTMENT

EXHIBIT-P18 - TRUE COPY OF THE EXPLANATION SUBMITTED BY THE PETITIONER ASSOCIATION BEFORE THE GOVERNMENT DATED 22-10-1999

EXHIBIT-P19 - TRUE COPY OF THE ORDER G.O.(RT)NO.281/2002/RD DATED 11-3-2002 ISSUED BY THE REVENUE DEPARTMENT

EXHIBIT-P20 - TRUE COPY OF THE TRUE COPY OF THE APPEL FILED BY THE PETITIONER'S ASSOCIATION BEFORE THE GOVERNMENT OF KERALA

EXHIBIT-P21 - TRUE COPY OF THE NOTICE DATED 16-8-2003 SENT BY THE ADDL. TAHSILDAR TO THE PETITIONER'S ASSOCIATION

EXHIBIT-P22 - TRUE COPY OF THE JUDGMENT DATED 12-8-2009 IN WPC. NO.29382/2003 OF THIS HONOURABLE COURT

EXHIBIT-P23 - TRUE COPY OF THE NOTICE NO. C2/9721/03 DATED 15-5-2012 ISSUED BY THE TAHSILDAR, TO THE PETITIONER'S ASSOCIATION

EXHIBIT-P24 - TRUE COPY OF THE COUNTER AFFIDAVIT IN O.S.NO.1063/2012 DATED 30-6-2012 BEFORE THE MUNSIFF'S COURT

EXHIBIT-P25 - TRUE COPY OF THE G.O.(MS)NO.179/2012/RD DATED 30-4-2012 ISSUED BY THE REVENUE (U) DEPARTMENT

EXHIBIT-P26 - TRUE COPY OF THE NOTICE SENT BY THE ADDL. TAHSILDAR TO THE PETITIONER ASSOCIATION DATED 7-8-2012

EXHIBIT-P27 - TRUE COPY OF THE ORDER NO.C3-58816/12 DATED 7-8-2012 ISSUED BY THE ADDL. TAHSILDAR.

RESPONDENTS' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.M.SHAFFIQUE, J

W.P.C.No.28999 of 2012

Dated this the 25th day of March 2015

J U D G M E N T

This writ petition has been filed seeking to quash Exts.P25 and P26. By judgment dated 02/04/2014 in W.P.C.No.27880/2012, I have already quashed Exts.P25 and P26 and appropriate directions have been issued.

2. It is submitted by the learned counsel for the petitioner that W.P.C.No.27880/2012 has been filed by a person who is not competent to represent the petitioner Sangham whereas Smt.Sushama, being the Secretary, is the only person who is competent to represent the Sangham. Since I have already clarified the matter in the order dated 25/03/2015 in R.P.No.803/2014, I do not want to enter into any finding regarding the capacity of the person to represent the Sangham. They shall agitate the same before an appropriate forum. Since a judgment has already been passed in W.P.C.No.27880/2012 quashing Ext.P25, there is

no reason to pass any further order. The said order shall be made applicable to W.P.C.No.28999/2012 as well. However it is made clear that the Government shall hear both the representatives, who filed the writ petitions, while complying with the directions in the judgment.

With the above observation, this writ petition is disposed of.

(sd/-)

(A.M.SHAFFIQUE, JUDGE)

jsr

