

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

MONDAY, THE 7TH DAY OF SEPTEMBER 2015/16TH BHADRA, 1937

WP(C).No. 26815 of 2015 (B)

PETITIONER:

K. CHANDRAN, WORKING AS SENIOR ACCOUNTANT,
ALATHUR BRANCH, PALAKKAD, RESIDING AT
PARUVAKKAL VEEDU, PUTHIYANGAM P.O.,
PALAKKAD DISTRICT - 678 545.

BY ADVS.SRI.V.G.ARUN
SRI.T.R.HARIKUMAR

RESPONDENTS:

1. THE PALAKKAD DISTRICT CO-OPERATIVE BANK LTD.,
REP. BY ITS GENERAL MANAGER, HEAD OFFICE,
PALAKKAD - 678 001.
2. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL), PALAKKAAD - 678 001.
3. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM - 695 001.
4. STATE OF KERALA REP. BY THE SECRETARY,
CO-OPERATION (C) DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.

R1 BY ADV. SRI.M.SASINDRAN
R2 TO R4 BY SR. GOVT. PLEADER SRI.K.C.VINCENT

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
07-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WP(C).No. 26815 of 2015 (B)

PETITIONER'S EXHIBITS:

EXHIBIT P1. A TRUE COPY OF THE RELEVANT PAGES OF THE PROVISIONAL SENIORITY LIST AS ON 31.03.15.

EXHIBIT P1. A TRUE COPY OF THE RESOLUTION NO.23 DATED 04.03.15 OF THE 1ST RESPONDENT.

EXHIBIT P1. A TRUE COPY OF THE COMMUNICATION SENT BY THE 1ST RESPONDENT TO THE 3RD RESPONDENT ALONG WITH PROFORMA DATED 26.03.15 AND ENGLISH TRANSLATION.

EXHIBIT P1. A TRUE COPY OF THE INTERIM ORDER DATED 04.02.15 IN WPC 760/15.

RESPONDENT'S EXHIBITS: NIL.

/TRUE COPY/

P.S. TO JUDGE

Dama Seshadri Naidu, J.

W.P.(C)No.26815 of 2015 B

Dated this the 7th day of September, 2015

JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader for respondents 2 to 4, as well as the learned counsel for the first respondent, 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. The petitioner, a Senior Accountant working in the first respondent Bank, seeks promotion to the post of Branch Manager, which requires a degree in Co-operation. Since the petitioner does not have the qualification, on his representation, the first respondent Bank passed Exhibit P2 resolution and forwarded it to the third respondent seeking exemption in terms of Rule 185(8) of the Kerala Co-

operative Societies Rules, 1969. Ventilating his grievance that there has been delay on the part of the third respondent in considering Exhibit P2 request made by the respondent Bank, the petitioner has filed the present writ petition.

3. In response to the submissions made by the learned counsel for the petitioner, the learned Government Pleader has submitted that the third respondent is willing to consider the request made by the first respondent through Exhibit P2 resolution expeditiously.

In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioner and the learned Government Pleader, this Court, without expressing any opinion on the merits of the matter, disposes of the writ petition with a direction to the third respondent to consider the request made by the first respondent through Exhibit P2 in accordance with law and

pass appropriate orders thereon, as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment.

Dama Seshadri Naidu, Judge

tkv