

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 9TH DAY OF SEPTEMBER 2015/18TH BHADRA, 1937

WP(C).No. 27219 of 2015 (B)

PETITIONER : -

THE MUZHAPPILANGAD SERVICE CO-OPERATIVE BANK LTD.NO.F 1756,
MUZHAPPILANGAD P.O. - 670 662, KANNUR DISTRICT,
REPRESENTED BY ITS PRESIDENT.

BY ADVS.SRI.M.SASINDRAN
SRI.V.VENUGOPAL

RESPONDENTS : -

1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
DEPARTMENT OF CO-OPERATION,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES (G),
THIRUVANANTHAPURAM - 695 001.
3. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (G),
KANNUR - 670 001.

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

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

APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT P1 : COPY OF THE ORDER DATED 22.7.2006 ISSUED BY THE JOINT REGISTRAR WHICH WOULD SHOW THAT THE PETITIONER SOCIETY IS A CLASS I SOCIETY.

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

EXHIBIT P2 : COPY OF THE S.R.O. No.9/2010 DATED 4.1.2010.

EXHIBIT P3 : COPY OF THE RELEVANT EXTRACT FROM THE CIRCULAR No.32/2013.

EXHIBIT P3(a) : TRUE ENGLISH TRANSLATION OF EXHIBIT P3.

EXHIBIT P4 : COPY OF THE PROFORMA SUBMITTED BY THE SOCIETY, FOR CLASSIFICATION.

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

EXHIBIT P5 : COPY OF THE ORDER No.3864/14/CRP/K.Dis. DATED 16.7.2014.

EXHIBIT P5(a) : TRUE ENGLISH TRANSLATION OF EXHIBIT P5.

EXHIBIT P6 : COPY OF THE ORDER DATED 23.12.2014 ISSUED BY THE 3rd RESPONDENT.

EXHIBIT P6(a) : TRUE ENGLISH TRANSLATION OF EXHIBIT P6.

EXHIBIT P7 : COPY OF THE RELEVANT EXTRACTS FROM THE AUDIT CERTIFICATE OF THE YEAR 2012-2013 ISSUED FROM THE CO-OPERATIVE DEPARTMENT IN RESPECT OF THE PETITIONER SOCIETY.

EXHIBIT P7(a) : TRUE ENGLISH TRANSLATION OF EXHIBIT P7.

EXHIBIT P8 : COPY OF THE RELEVANT EXTRACTS FROM THE AUDIT CERTIFICATE OF THE YEAR 2013-2014 ISSUED FROM THE CO-OPERATIVE DEPARTMENT IN RESPECT OF THE PETITIONER SOCIETY.

EXHIBIT P8(a) : TRUE ENGLISH TRANSLATION OF EXHIBIT P8.

EXHIBIT P9 : COPY OF THE G.O. (Rt). No. 350/14/CO-OP. DATED 19.6.2014.

EXHIBIT P10 : COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE JOINT REGISTRAR ON 3.11.2014, BASED ON THE RESOLUTION OF THE SOCIETY DATED 31.10.2014.

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EXHIBIT P10(a) : TRUE ENGLISH TRANSLATION OF EXHIBIT P10.

RESPONDENTS' EXHIBITS : NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 27219 of 2015

Dated this the 09th day of September, 2015

JUDGMENT

The petitioner, a Primary Co-operative Society, initially enjoyed Class-I category. Later, through Exhibit P5, the third respondent reclassified the petitioners' Society as belonging to Class-II. Ventilating his grievance that in terms of Exhibit P3 Circular and Exhibit P9 Government Order, the petitioner is still entitled to retain its Class-I category, it submitted Exhibit P10 representation before the third respondent for re-considering the classification assigned to the petitioner. Complaining the delay in the disposal of Exhibit P10 representation, the petitioner has filed the present writ petition.

2. 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

petitioner's Exhibit P10 representation on merits, expeditiously.

3. 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 respondent, this Court, without expressing any opinion on the merits of the matter, disposes of the present writ petition with a direction to the third respondent to consider Exhibit P10 representation of the petitioner in accordance with law, and pass appropriate orders thereon as expeditiously as possible, at any rate, within a period of six weeks from the date of receipt of a copy of this judgment.

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

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-