

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2015/20TH KARTHIKA, 1937

WP(C).No. 31798 of 2013 (Y)

PETITIONER :

**ANTONY MATHEW, MEMBER NO.462
THODUPUZHA TALUK CO-OPERATIVE EMPLOYEES
CO-OPERATIVE SOCIETY,
RESIDING AT KAKKACHIRAYIL HOUSE, ELAMDESOM,
IDUKKI DISTRICT.**

BY ADV. SRI.P.C.SASIDHARAN

RESPONDENT(S):

- 1. THE KERALA STATE CO-OPERATIVE ELECTION COMMISSION,
OFFICE OF THE KERALA STATE ELECTION COMMISSION,
THIRUVANANTHAPURAM-695 001.**
- 2. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL),
OFFICE OF THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,
IDUKKI-685 603.**
- 3. THODUPUZHA TALUK CO-OPERATIVE EMPLOYEES CO-OPERATIVE SOCIETY,
RESIDING AT KAKKACHIRAYIL HOUSE, ELAMDESOM,
IDUKKI DISTRICT, REPRESENTED BY ITS SECRETARY- 685 603.**
- 4. ANOOP.K.N.,
KONIKKAL HOUSE, ATTENDER,
THEKKUMBHAGOM SERVICE CO-OPERATIVE BANK, IDUKKI-685 603.**
- 5. JOLY.C.D.,
CHETTIMATTEL HOUSE, CLERK,
THODUPUZHA PRIMARY AGRICULTURAL DEVELOPMENT BANK,
IDUKKI-685 603.**
- 6. JOSH V. MATHEW,
VATTAMATTATHIL HOUSE, CLERK, ARAKKULAM FARMERS BANK,
IDUKKI-685 603.**
- 7. BENNY MATHEW,
PERUMPUZHA PAKUTHIYIL HOUSE, SENIOR CLERK,
THUDANGANAD SERVICE CO-OPERATIVE BANK, IDUKKI-685 603.**

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8. MANOJ CHERIYAN,
THADATHIL HOUSE, ATTENDER,
MUTTOM SERVICE CO-OPERATIVE BANK, IDUKKI-685 603.
9. SAJU V.CHEMBARATHI,
CHEMBARATHI HOUSE, SECRETARY,
IDUKKI SMALL SCALE INDUSTRIES SOCIETY,
IDUKKI-685 603.
10. HYDROSE.M.P.,
MANJAKKAL HOUSE, ATTENDER,
KUMARAMANGALAM SERVICE CO-OPERATIVE BANK,
IDUKKI-685 603.
11. ROSHANKUMAR.K.P.,
KADAVUNGAL HOUSE, CLERK,
VAZHITHALA SERVICE CO-OPERATIVE BANK, IDUKKI-685 603.
12. SAJIKUMAR.K.S.,
KURUMATH HOUSE, SENIOR CLERK,
KUDAYATHOOR SERVICE CO-OPERATIVE BANK,
IDUKKI-685 603.
13. BRIJITH K.P.,
KALAPPURAKKAL HOUSE, SENIOR ACCOUNTANT,
KUDAYATHOOR SERVICE CO-OPERATIVE BANK,
IDUKKI-685 603.
14. RAKHI.C.,
KUNNUMPURATH HOUSE, CLERK,
THODUPUZZHA TOWN SERVICE CO-OPERATIVE BANK,
IDUKKI-685 603.
15. LEKHA.A.K.,
VALLADIYIL HOUSE, SECRETARY,
THODUPUZZHA VANITHA CO-OPERATIVE SANGHAM,
IDUKKI-685 603.
16. SHAJIMON.T.S.,
THARAPPEL HOUSE, ATTENDER,
VELLAYAMATTOM SERVICE CO-OPERATIVE BANK,
IDUKKI-685 603.

R1 & R2 BY GOVERNMENT PLEADER SRI.P.K.ABDUL RAHMAN
R3 TO R10,R12 TO R16 BY ADVS. SRI.B.S.SWATHY KUMAR
SRI.REMYA MURALI
SRI.ASHISH MOHAN
SRI.A.K.RAJESH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 11-11-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

sts

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APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1: TRUE COPY OF THE AMENDMENT PROPOSAL MADE TO THE BYE
LAW.**

**EXHIBIT-P2: TRUE COPY OF THE ELECTION NOTIFICATION ISSUED BY THE 1ST
RESPONDENT.**

EXHIBIT-P2: TRUE COPY OF THE JUDGMENT IN W.P.(C) NO.27538/2013.

RESPONDENT(S)' EXHIBITS

**EXHIBIT R12(A): TRUE COPY OF THE ARC NO.4/2014 OF THE CO-OPERATIVE
ARBITRATION COURT, THIRUVANANTHAPURAM DATED 15/1/2014**

**EXHIBIT R12(B): TRUE COPY OF THE REGISTRATION CERTIFICATE DATED
20/12/2013**

**EXHIBIT R12(C): TRUE COPY OF THE AMENDED BYE-LAW OF THE 3RD
RESPONDENT**

/TRUE COPY/

P.S.TO JUDGE

sts

A.M. SHAFFIQUE, J.

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W.P. (C) No. 31798 of 2013

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Dated this, the 11th day of November, 2015

J U D G M E N T

Petitioner had already filed ARC No.4/2014 before the Arbitration Court and it is submitted by the learned counsel appearing on either side that the case is posted for evidence. In the said arbitration matter, the very same contentions had been urged by the petitioner.

Under the above circumstances, I do not think that this Court will be justified in issuing any directions as prayed for. It shall be open for the parties to agitate their respective contentions before the Arbitration Court. Reserving the said right, this writ petition is disposed of. The concerned Arbitration Court shall dispose of the matter as early as possible.

Sd/-

A.M. SHAFFIQUE, JUDGE

Rp

11/11/2015

//True Copy//

P.S to Judge