

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

WP(C).No. 29211 of 2015 (B)

PETITIONERS : -

1. THE BOARD OF MANAGEMENT OF KERALA STATE RETAIL MEDICAL SHOP CO-OPERATIVE SOCIETY LTD NO 4486,
REPRESENTED BY ITS PRESIDENT, 54/3040,
TEMPLE ROAD, KADAVANTHARA P.O, KOCHI 20.
2. THE KERALA STATE RETAIL MEDICAL SHOP CO-OPERATIVE SOCIETY LTD NO 4486, REPRESENTED BY ITS HONOURARY SECRETARY,
54/3040, TEMPLE ROAD, KOCHI 20.

BY ADV.SRI.M.S.RADHAKRISHNAN NAIR

RESPONDENTS : -

1. THE REGISTRAR CO-OPERATIVE SOCIETY,
THIRUVANANTHAPURAM 695 001.
2. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETY,
KAKKANADU, ERNAKULAM 682 030.
3. ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETY(GENERAL),
KANAYANNOOR, ERNAKULAM 682 016.

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

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS : -

EXHIBIT P1 : TRUE COPY OF THE ORDER DATED 12-12-2014.

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

EXHIBIT P2 : TRUE COPY OF THE NOTICE DATED 8-2-15 ISSUED TO THE 3RD
RESPONDENT.

EXHIBIT P2(a) : TRUE ENGLISH TRANSLATION OF EXT.P2.

EXHIBIT P3 : TRUE COPY OF THE REPLY SUBMITTED BY THE 2ND PETITIONER.

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

EXHIBIT P4 : TRUE COPY OF AN ENQUIRY REPORT TO THE FIRST RESPONDENT.

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

EXHIBIT P5 : TRUE COPY OF REQUEST DATED 10-07-2015 TO THE 1ST
RESPONDENT.

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

RESPONDENTS' EXHIBITS : - NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 29211 of 2015

Dated this the 03rd day of December, 2015

JUDGMENT

The petitioners, the President and the Honorary Secretary of the Kerala State Retail Medical Shops Co-operative Society Limited, have a grievance that without following the due procedure the authorities have initiated the proceedings under Section 65, through Exhibit P1, which has subsequently resulted in Exhibit P4 report.

2. In response to the submissions made by the learned counsel for the petitioners, the learned Government Pleader has submitted that he has received written instructions. According to him, the authorities are willing to issue a fresh notice to the petitioners and any other affected person and proceed further in accordance with law.

3. Both the learned counsel have represented that the writ petition may be disposed of in the light of the stand taken by the respondents.

In the facts and circumstances, having regard to the submissions of the learned counsel for the petitioners and the

learned Government Pleader, this Court disposes of the writ petition leaving it open for the parties to follow the due process and proceed further with the matter. As a result, Exhibits P1 and P4 are set aside.

DAMA SESHADRI NAIDU
JUDGE

DMR/-