

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 14TH DAY OF JANUARY 2015/24TH POUSHA, 1936

WP(C).No. 29444 of 2014 (E)

PETITIONER(S):

PRATHAP P., AGED 33 YEARS,
SREEVIHAR, T.D.EAST ROAD, MATTANCHERRY
KOCHI-682002.

BY ADV. SRI.P.P.JACOB

RESPONDENT(S):

1. THE MATTANCHERRY MAHAJANIK CO-OPERATIVE URBAN BANK LTD.NO.665
PALLIARAKKAVU ROAD, KOCHI-682 002.
REPRESENTED BY ITS GENERAL MANAGER.
2. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (G)
ERNAKULAM, CIVIL STATION, B-2 BOLCK,
5TH FLOOR, KAKKANADU, KOCHI-682030.
3. M.ARAVINDAKSHAN NAIR
S/O.GOPALAN NAIR, BUILDING NO.6/275, NEAR C.T.O.
ANAVATHIL, KOCHI-682002.
4. B.S.RAMESH
10/201, J.D.NORTH STREET, FORT KOCHI-682001.
5. URUSULA LENIN
KALIYATH HOUSE, 17/1204, MUNDAMVELI
KOCHI-682007.

R1 BY SRI.P.GOPINATH

R BY GOVERNMENT PLEADER SRI.D.SOMASUNDARAM.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
14-01-2015 ALONG WITH W.P (C) NO.34373/2014, THE COURT ON THE
SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: TRUE PHOTOCOPY OF THE CLAUSE 40 & 46 OF THE BYELAW OF THE
RESPONDENT, PAGES 1, 21 TO 24.

EXHIBIT-P2: TRUE PHOTOCOPY OF THE ORDER ISSUED BY THE RESERVE BANK
DATED 3.2.2003.

EXHIBIT-P3: TRUE PHOTOCOPY OF THE ORDER OF THE JOINT REGISTRAR DATED
4.3.2008, PAGES 1, 23 TO 25.

EXHIBIT-P4: TRUE PHOTOCOPY OF THE ORDER ISSUED BY THE GOVERNMENT
DATED 24.9.2009.

EXHIBIT-P5: TRUE PHOTOCOPY OF THE ORDER ISSUED BY THE JOINT REGISTRAR
DATED 8.7.2014.

EXHIBIT-P6: TRUE PHOTOCOPY OF THE JUDGMENT IN W.P.(C) NO.18530/14 DATED
29.10.2014.

EXHIBIT-P7: TRUE PHOTOCOPY OF THE REPRESENTATION FILED BY THE PETITIONER
BEFORE THE RESPONDENTS 1 & 2 DATED 29.10.2014.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.29444 & 34373 of 2014

Dated this the 14th day of January, 2015

J U D G M E N T

Whether the members of the managing committee of Mattancherry Mahajanik Co-operative Urban Bank Ltd. have to be surcharged under Section 68 of the Kerala Co-operative Societies Act, 1969 is engaging the attention of the Government. The attention is so invited purportedly in an appeal filed under Section 83 of the Kerala Co-operative Societies Act, 1969.

2. Today I have by judgment in W.P (C) No.35173/2014 directed the Government to dispose of the appeal including the consideration of its maintainability within a period of six weeks. The petitioners herein are at liberty to move for further action against the members of the Managing Committee of the Bank depending on the orders passed in the appeal. There is no necessity to keep this writ petitions pending when the remedy is left open as above and I accordingly dispose of the same as unnecessary.

The Writ Petitions are disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.