

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

WP(C).No. 29535 of 2015 (N)

PETITIONER:

THRIKKALATHOOR SERVICE CO-OPERATIVE BANK LTD.NO.145,
THRIKKALATHOOR P.O., ERNAKULAM DISTRICT,
REPRESENTED BY ITS SECRETARY.

BY ADV. SMT.I.SHEELA DEVI

RESPONDENTS:

1. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM-695 001.
2. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL)
ERNAKULAM, KAKKANAD, KOCHI-682 030.
3. ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL)
MUVATTUPUZHA, ERNAKULAM DISTRICT - 682 143.

R BY SRI. K.C. VINCENT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT-P1: TRUE COPY OF ORDER NO.0.645/14/DIS. DATED 13.03.2014 BY THE 2ND RESPONDENT.

EXHIBIT-P2: TRUE COPY OF AMENDMENT TO THE BYELAW OF THE PETITIONER'S SOCIETY AND ITS ENGLISH TRANSLATION.

EXHIBIT-P3: TRUE COPIES OF THE COVERING LETTER DATED 24.12.2014, APPLICATION, RESOLUTION DATED 12.12.2014, DECISION TAKEN ON THE COMMITTEE ON 12.12.2014, PROJECT REPORT, JOINT SURVEY REPORT, STAFF DETAILS AND SKETCH ALONG WITH ENGLISH TRANSLATIONS OF MALAYALAM DOCUMENTS.

EXHIBIT-P4: TRUE COPY OF THE RENT AGREEMENT DATED 27.02.2015 ENTERED BETWEEN PETITIONER AND SMT.JIJI VARGHESE AND ITS ENGLISH TRANSLATION.

EXHIBIT-P5: TRUE COPY OF THE ORDER NO.C.R.P.(2) 1701/15/L.DIS. DATED 03.09.2015 ISSUED BY THE 2ND RESPONDENT TO PETITIONER.

RESPONDENTS' EXHIBITS: NIL

/True Copy/

P.A to Judge.

DAMA SESHADRI NAIDU, J.

W.P.(C). No. 29535 of 2015 (N)

Dated this the 6th day of October, 2015.

JUDGMENT

Heard the learned counsel for the petitioner and the learned Government Pleader, 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 is the Secretary of a Bank that had been established in 1920. Given its profitability, in the course of time, the Bank decided to have a Branch opened at Paipra junction, within its area of operation.

3. The singular grievance of the petitioner is that though the Bank has made the necessary application, the second respondent has been dragging the issue without taking any decision concerning the petitioner's request. Aggrieved thereby, it has filed the present writ petition.

4. In response to the submissions made by the learned counsel for the petitioner, the learned Government Pleader, on instructions, has submitted that the petitioner's request is being

actively considered. He has further submitted that in terms of the statutory provisions, the second respondent will take an appropriate decision at the earliest, at any rate, within three months.

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 disposes of the writ petition with a direction to the 2nd respondent to consider the petitioner's application in accordance with law and pass appropriate orders thereon, as expeditiously as possible, at any rate, within three months from the date of receipt of a copy of this judgment.

sd/- DAMA SESHADRI NAIDU, JUDGE.

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