

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE MR.ASHOK BHUSHAN
&**

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

WEDNESDAY, THE 30TH DAY OF SEPTEMBER 2015/8TH ASWINA, 1937

WP(C).No. 29787 of 2015 (W)

PETITIONER(S):

1. STANLY JOHN AGED 35 YEARS,
S/O JOHN,
STANLY BHAVAN,
KANDAMTHITTA,
PANTHA PO, PIN 695505.
2. SATHEESH C,
PARAKKAL VEEDU,
PAMBARAMKAVU,
AMBOORI PO, PIN 695505.
3. DILEEPKUMAR R,
MUNDANPARA ROADARIKATHU VEEDU,
KUTTAMALA PO,
PIN 695505.
4. P.OMANA,
CHARUVILAPUTHEN VEEDU,
PARATHIKARIKUZHI PO,
PIN 695505.
5. RETNAMMA THOMAS,
SHINE BHAVAN,
MARAPPALAM,
THEKKUPARA PO,
PIN 695505.
6. AMBILY THOMAS,
PUTHOOR VEEDU,
MAYAM PO,PIN 695505.
7. P.S.NAINAN,
MUTHIYAMALA VEEDU,
MAYAM PO,PIN 695505.
8. D.THANKAMANI,
SHEEBA BHAVAN,
KUTTAPPU,
THEKKUPARA PO,
PIN 695505.

9. V.A.MATHEW,
VELLAPPALLIL VEEDU,
AMBOORI PO,
PIN 695505.

BY ADVS.SRI.S.V.PREMAKUMARAN NAIR
SRI.R.T.PRADEEP
SMT.M.BINDUDAS

RESPONDENT(S):

1. THE DIFECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS,
VAZHUTHACAUD,
THIRUVANANTHAPURAM 695014.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
OFFICE OF DEPUTY SUPERINTENDENT OF POLICE,
NEYYATTINKARA 695121.
3. THE CIRCLE INSPECTOR OF POLICE,
OFFICE OF CIRCLE INSPECTOR OF POLICE,
VELLARADA 695505.
4. SUB INSPECTOR OF POLICE,
VELLARADA POLICE STATION,
VELLARADA 695001.
5. JOINT REGISTRAR OF CO-OPERATIVE SOCIEITES (GENERAL),
OFFICE OF JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM 695001.
6. SUNIL KUMAR,
PRESIDING OFFICER/UNIT INSPECTOR PARASSALA,
OFFICE OF ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES (GENERAL),
NEYYATTINKARA 695121.
7. BIJU JOSEPH,
PRESIDENT,
AMBOORI SERVICE CO-OPERATIVE SOCIETY BANK LTD NO.T274,
RESIDING AT THURUTHEL,
AMBOORI PO, PIN 695505.
8. AMBOORI SERVICE CO-OPERATIVE SOCIETY BANK LTD NO.T274,
REPRESENTED BY ITS SECRETARY,
HEAD OFFICE,
AMBOORI 695505.
9. STATE CO-OPERATIVE ELECTION COMMISSIONER,
OFFICE OF STATE CO-OPERATIVE ELECTION COMMISSION,
THIRUVANANTHAPURAM 6T95001.

BY SR GOVERNMENT PLEADER SRI.C.R.SYAMKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS

EXT.P1: TRUE COPY OF THE NOTICE DATED 10.6.2015 ISSUED BY THE AUTHORISED OFFICER TO THE MEMBERS OF MANAGING COMMITTEE WITH ENGLISH TRANSLATION.

EXT.P2: TRUE COPY OF HTE FIR DT 26.6.15 IN CRIME NO.606/2015 OF VELLARADA POLICE STATION ALONG WITH ENGLISH TRANSLATION.

EXT.P3: TRUE COPY OF THE COMPLAINT DATED 27.6.2015 BY PETITIONERS BEFORE 5TH RESPONDENT ALONG WITH ENGLISH TRANSLATION.

EXT.P4: TRUE COPY OF THE JUDGMENT DATED 14.7.2015 IN WPC NO.19727/2015 BY THIS HON'BLE COURT.

EXT.P5: TRUE COPY OF THE NOTICE DT 10.7.15 ISSUED BY THE 6TH RESPONDENT TO PETITIONERS WITH ENGLISH TRANSLATION.

EXT.P6: TRUE COPY OF THE REPRESENTATION DATED 18.8.2015 SEEKING POLICE PROTECTION BEFORE 2ND RESPONDENT.

EXT.P7: TRUE COPY OF THE JUDGEMENT DATED 21.8.2015 IN WPC NO.25889/2015.

EXT.P8: NOTICE DT 26.9.15 BY THE 6TH RESPONDENT TO THE MEMBERS OF MANAGING COMMITTEE FOR THE MEETING TO ELECT THE NEW PRESIDENT WITH TRANSLATION.

EXT.P9: REPRESENTATION DT 29.9.15 BEFORE THE 4TH RESPONDENT.

//True Copy//

PS to Judge

Rp

ASHOK BHUSHAN, C.J.

&

A.M. SHAFFIQUE, J.

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W.P. (C) No. 29787 of 2015

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Dated this, the 30th day of September, 2015

J U D G M E N T

Ashok Bhushan, C.J.

Heard the learned counsel for the petitioners and the learned Government Pleader. No notice is being issued to the private respondents in view of the judgment which is being passed.

2. By this writ petition, petitioners have prayed for a direction to respondents 1 to 4 to render adequate police protection to the petitioners to participate and elect the new president in the meeting scheduled to be held on 5/10/2015. As already been scheduled, for electing the president, 6th respondent has been appointed as the Presiding Officer to conduct the meeting.

3. Learned Government Pleader after obtaining instructions submits that the meeting is fixed on 5/10/2015 and police will ensure that appropriate police personnel shall be there.

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However, the police can take law and order situation only outside the venue and they cannot enter into the hall where meeting is scheduled until they are called by the Presiding Officer.

Recording the aforesaid statement of the learned Government Pleader, we close the writ petition observing that law and order situation shall be maintained in the venue of the meeting on 5/10/2015.

Sd/-
ASHOK BHUSHAN, CHIEF JUSTICE

Sd/-
A.M. SHAFFIQUE, JUDGE

Rp
30/09/2015

//True Copy//

PS to Judge