

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 19TH DAY OF FEBRUARY 2015/30TH MAGHA, 1936

WP(C).No. 30077 of 2014 (H)

PETITIONER(S)/PETITIONER:

**PRESIDENT, KODUVAYOOR PANCHAYATH VANITHA CO-OP. SOCIETY LTD
KODUVAYOOR PANCHAYATH VANITHA CO-OPERATIVE SOCIETY LTD.P. 1001
KODUVAYUR.P.O, CHITTOOR TALUK, PALAKKAD DISTRICT
PIN-678501.**

**BY ADVS.SRI.M.M.MONAYE
SRI.M.PAUL VARGHESE
SRI.DESI MATTHAI**

RESPONDENT(S)/RESPONDENTS:

- 1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT
DEPARTMENT OF CO-OPERATION, GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM-695001.**
- 2. STATE CO-OPERATIVE ELECTION COMMISSION,
OFFICE OF THE STATE CO-OPERATIVE ELECTION COMMISSION
THIRUVANANTHAPURAM, PALAYAM, PIN 695003**
- 3. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES(GENERAL),
PALAKKAD DISTRICT, PIN-678001.**
- 4. ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES(GENERAL),
A.R.OFFICE, PALAKKAD, PIN-678001.**
- 5. PALAKKAD DISTRICT WHOLESALE CONSUMER'S CO-OPERATIVE SOCIETY
LTD.NO.P 953,
KUNNATHURMEDU.P.O, PALAKKAD, PIN-678013
REPRESENTED BY ITS MANAGING DIRECTOR.**
- 6. ADMINISTRATOR,
THE PALAKKAD DISTRICT WHOLESALE CONSUMER'S CO-OPERATIVE
SOCIETY LTD.NO.P 953
KUNNATHURMEDU.P.O, PALAKKAD, PIN-678013.**

**R6 BY ADV. SRI.SAJAN VARGHEESE K.
R6 BY ADV. SRI.LIJU. M.P
R BY GOVERNMENT PLEADER SRI.GIKKU JACOB**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Imp

WP(C).No. 30077 of 2014 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

P1 : TRUE COPY OF THE RESOLUTION DTD.4.7.2014.

**P2 : TRUE COPY OF THE COVERING LETTER DTD.7.7.2014 ALONG WITH THE
PROFORMA DTD.7.7.2014.**

**P3 : TRUE COPY OF THE AMENDED CLAUSE 19(A) OF THE BYE-LAWS OF THE
SOCIETY WITH THE APPROVAL LETTER DTD.14.11.1995 OF THE 3RD RESPONDENT.**

P4 : TRUE COPY OF THE JUDGMENT DTD.5.9.2014 IN WPC NO.20541/2014.

**P5 : TRUE COPY OF THE INTIMATION LETTER DTD.18.9.2014 SENT BY THE 2ND
RESPONDENT.**

P6 : TRUE COPY OF THE NOTICE DTD.22.9.2014.

P7 : TRUE COPY OF THE LETTER DTD.7.10.2014.

RESPONDENT(S)' EXHIBITS - NIL

//TRUE COPY//

P.A. TO JUDGE

Imp

V.CHITAMBARESH, J.

W.P.(C) No.30077 of 2014

Dated this the 19th day of February, 2015

JUDGMENT

The conduct of election may require the bye laws of the 5th respondent society to be amended. The voters list also requires to be pruned in accordance with Rule 18A of the Kerala Co-operative Societies Rules. But it will not be conducive to the interest of the society to remain under the administration of the administrator for long.

Steps to conduct the election shall therefore be taken soon by amending the bye laws as well as approving the voters list. Necessary steps in this regard shall be taken by the 6th respondent administrator of the 5th respondent society. The 3rd respondent shall see to it that election to the managing committee of the 5th respondent bank is held on or before 31.08.2015 in the circumstances.

The writ petition is disposed of.

V.CHITAMBARESH, JUDGE

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