

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

MONDAY, THE 23RD DAY OF MARCH 2015/2ND CHAITHRA, 1937

WP(C).No. 30836 of 2014 (D)

PETITIONER:

THE PERUMANNA KLARI SERVICE CO-OPERATIVE
BANK LTD. NO.F. 770, P.O. KUTTIPPALA, MALAPPURAM
DISTRICT, REPRESENTED BY ITS SECRETARY.

BY ADVS. SRI.M.SASINDRAN
SRI.V.VENUGOPAL

RESPONDENTS

1. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES(GENERAL), MALAPPURAM - 676 505.
2. STATE OF KERALA REPRESENTED BY
SECRETARY TO GOVERNMENT
DEPARTMENT OF CO-OPERATION,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
3. N.KRISHNAKUMAR, S/O. LATE GANAPATHY
EMBRANDIRI, NEELAMANA HOUSE,
KLARI P.O - 676 501, (VIA) EDARIKODE
MALAPPURAM DISTRICT.

R3 BY ADV. SRI.N.K.SUBRAMANIAN
R3 BY ADV. SRI.S.ANANTHAKRISHNAN
R1 -R2 BY GOVERNMENT PLEADER SRI. T.R. RAJESH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23-03-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 - A TRUE COPY OF THE CHARGE MEMO AND STATEMENT OF ALLEGATIONS ISSUED TO THE PETITIONER DT. 03.2.2000.
- EXHIBIT P2 - A TRUE COPY OF THE ORDER DT. 19.4.01 ISSUED TO THE 3RD RESPONDENT DISMISSING FROM SERVICE.
- EXHIBIT P3 - A TRUE COPY OF THE ORDER DT. 18.1.03 ISSUED BY THE FIRST RESPONDENT
- EXHIBIT P4 - A TRUE COPY OF THE ORDER DT. 24.6.05 PASSED BY THE GOVERNMENT.
- EXHIBIT P5 - A TRUE COPY OF THE PETITION NUMBERED AS 8690/2011 BY THE 3RD RESPONDENT BEFORE THE FIRST RESPONDENT.
- EXHIBIT P6 - A TRUE COPY OF THE PRELIMINARY OBJECTION FILED BY THE PETITIONER TO THE MAINTAINABILITY OF THE PETITION UNDER RULE 176 AGAINST THE SERVICE MATTER.
- EXHIBIT P7 - A TRUE COPY OF THE ORDER NO. CRP(2) 8690/11 DT. 10.6.14.
- EXHIBIT P8 - A TRUE COPY OF THE ORDER NO. CRP(2) 8690/11 DT. 11.11.14 ISSUED BY THE FIRST RESPONDENT.
- EXHIBIT P9 - A TRUE COPY OF THE JUDGMENT DT. 26.2.11 IN AP NO. 50/2006.
- EXHIBIT P10 - A TRUE COPY OF THE JUDGMENT DT. 26.2.11 IN AP NO. 51/2006 OF THE KERALA CO-OPERATIVE TRIBUNAL.
- EXHIBIT P11 - A TRUE COPY OF THE JUDGMENT DT. 26.2.11 IN AP NO. 52/2006 OF THE KERALA CO-OPERATIVE TRIBUNAL.
- EXHIBIT P12 - A TRUE COPY OF THE JUDGMENT DT. 26.2.11 IN AP NO. 53/2006 OF THE KERALA CO-OPERATIVE TRIBUNAL.

RESPONDENT(S)' EXHIBITS

- EXHIBIT R1(a) - TRUE COPY OF THE GOVERNMENT ORDER DATED 24.06.2005.
- EXHIBIT R1(b) - TRUE COPY OF THE COURT ORDER DATED 26.09.2006.
- EXHIBIT R1(c) - TRUE COPY OF THE RESOLUTION NO. 1 DATED 1.10.2002.
- EXHIBIT R1(d) - TRUE COPY OF THE ORDER IN WP(C) 14879/2006 DATED 26.06.2006.
- EXHIBIT R1(e) - TRUE COPY OF THE JUDGMENT IN WP(C) 14879/2006 DATED

16.07.2008.

EXHIBIT R1(f) -	TRUE COPY OF THE JUDGMENT IN WA NO. 2515/2008 DATED 08.01.2009.
EXHIBIT R1(g) -	TRUE COPY OF THE DEPOSITION OF THE PRESIDENT.
EXHIBIT R1(h) -	TRUE COPY OF THE DEPOSITION OF CHIEF ACCOUNTANT.
EXHIBIT R1(i) -	TRUE COPY OF THE DEPOSITION OF SECRETARY.
EXHIBIT R3(a) -	TRUE COPY OF REQUEST BY R3 DT. 17.11.2014.
EXHIBIT R3(b) -	TRUE COPY OF JOINING REPORT DATED 19.11.2014.
EXHIBIT R3(c) -	TRUE COPY OF JUDGMENT DATED 26.09.2009.
EXHIBIT R3(d) -	TRUE COPY OF ORDER NO. CRP(2)8690/11 DT. 17.11.2014.
EXHIBIT R3(e) -	TRUE COPY OF JUDGMENT DT. 03.09.2002.
EXHIBIT R3(f) -	TRUE COPY OF ORDER IN APPEAL DATED 02.11.2002.
EXHIBIT R3(g) -	TRUE COPY OF JUDGMENT DATED 20.10.2003 IN OP NO. 5035/2003
EXHIBIT R3(h) -	TRUE COPY OF ORDER DATED 28.02.2004.
EXHIBIT R3(i) -	TRUE COPY OF JUDGMENT DATED 08.02.2005.
EXHIBIT R3(j) -	TRUE COPY OF REPLY TO OBJECTION DT. 20.02.2014.
EXHIBIT R3(k) -	TRUE COPY OF CLAUSE 55 OF THE BYLAWS.

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 30836 OF 2014

Dated this the 23rd day of March, 2015

JUDGMENT

The dispute has been settled between the parties. The terms of the settlement shall form part of the judgment.

The Writ Petition is disposed of accordingly.

**V. CHITAMBARESH
JUDGE**

ncd