

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

FRIDAY, THE 4TH DAY OF DECEMBER 2015/13TH AGRAHAYANA, 1937

WP(C).No. 30949 of 2014 (P)

PETITIONER(S)/PETITIONERS:-:

1. V R BHASKARAN, AGED 63 YEARS,
S/O.ANANDAN NAMBIAR, "USHUS", ELAMPARA P.O. - 670 595
KANNUR DISTRICT.
2. K.BALAKRISHNAN,
S/O.CHATHU KURUP, "RAMYA", NAYATTUPARA
P.O.PATTANUR - 670 595.

BY ADVS.SRI.M.RAMESH CHANDER (SR.)
SRI.ANEESH JOSEPH
SMT.DENNIS VARGHESE

RESPONDENT(S)/RESPONDENTS:-:

1. STATE OF KERALA
REPRESENTED BY CHIEF SECRETARY
GOVERNMENT SECRETARIAT, TRIVANDRUM - 695 001.
2. DISTRICT REGISTRAR (GENERAL),
MANANCHIRA MAIDAN, CALICUT - 673 001.
3. KERALA CO-OPERATIVE SERVICE PENSIONERS' ASSOCIATION,
ROOM NO.K.C.17/1272-B 2
PUTHIYARA KARSHIKAGRAMA VIKASANA BANK BUILDING
CALICUT - 1 REPRESENTED BY SECRETARY.
4. SRI.N.P.NARAYANAN,
RETURNING OFFICER, (RETIRED JOINT REGISTRAR
KERALA CO-OPERATIVE SOCIETIES)
P.O.VADAKARA - 673 101, KOZHIKODE.
5. K.C.KUNHIKRISHNAN NAIR,
GENERAL SECRETARY
KERALA CO-OPERATIVE SERVICE PENSIONERS ASSOCIATION
(REGD. NO.897/1977, RESIDING AT KOTTOOR
'KRISHNA PRABHA HOUSE', P.O.KOTTOOR - 673 614
(VIA) NADUVANNUR, KOZHIKODE
OFFICE AT CO-OPERATIVE PENSION BHAVAN
P.O.VANCHIYOOR, THIRUVANANTHAPURAM.

Contd....

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6. C.C.VARGHESE,
CHAKKASSERIL, P.O.PEROOR - 686 637, KOTTAYAM DISTRICT.
7. G.MOHANAN PILLAI,
VICE PRESIDENT
KERALA CO-OPERATIVE SERVICE PENSIONERS ASSOCIATION
MANGALASSERIL P.O., ERUVA - 690 572, KAYAMKULAM
ALAPUZHA DISTRICT.
8. MUNDOOR RAMAKRISHNAN,
SECRETARY
KERALA CO-OPERATIVE SERVICE PENSIONERS ASSOCIATION
'RAGAM', AANAPPARA, P.O.KOTTEKKAD
PALAKKAD - 678 732.
9. C.M.KARUNAKARAN NAMBIAR,
"ANAMIKA", NETAJI ROAD, (RESIGNED PRESIDENT)
P.O.MATTANUR, KANNUR - 670 702.
10. SENIOR BRANCH MANAGER,
TRIVANDRUM DISTRICT CO-OPERATIVE BANK
FORT MAIN BRANCH, EAST FORT
THIRUVANANTHAPURAM - 695 001.
11. SECRETARY,
AIDED PRIMARY TEACHERS CO-OPERATIVE SOCIETY
NEAR KOTTAYAM RAILWAY STATION, KOTTAYAM - 686 001.
12. N.SWAMINATHAN,
VADAKKANCHERY SERVICE CO-OPERATIVE BANK
P.O.VADAKKANCHERY, PALAKKAD DISTRICT - 680 582.

R10 BY ADV. SRI.T.R.HARIKUMAR, SC,
THIRUVANANTHAPURAM DIST.CO.OP.BANK
R3 & 5 -R 8 BY ADV. SRI.V.M.KURIAN
R3 & 5 -R 8 BY ADV. SRI.MATHEW B. KURIAN
R3 & 5 -R 8 BY ADV. SRI.K.T.THOMAS
R12 BY ADV. SRI.V.G.ARUN
R12 BY ADV. SRI.T.R.HARIKUMAR
R9 BY ADV. SRI.K.RAMAKUMAR (SR.)
R9 BY ADV. SRI.S.M.PRASANTH
R9 BY ADV. SRI.C.DINESH
R9 BY ADV. SMT.ASHA BABU
R9 BY ADV. SRI.G.RENJITH
R9 BY ADV. SMT.AMMU CHARLES
R9 BY ADV. SMT.JINNU SARA GEORGE
R4 BY ADV. SRI.RAJESH VIJAYENDRAN
BY Sr.GOVERNMENT PLEADER SRI.P.M.JOSEPH
R BY SRI.T.R.HARIKUMAR,
SC, THIRUVANANTHAPURAM DIST.CO-OPERATIVE BANK.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
04-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) .No. 30949 of 2014 (P)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1. PHOTOSTAT COPY OF THE BROCHURE.

EXHIBIT P2. PHOTOSTAT COPY OF THE NEWS PAPER REPORT WHICH WAS
PUBLISHED IN DESHABHIMANI DAILY DATED 02.09.2014 INFORMING THAT
RESPONDENTS 5 AND 7 ARE ELECTED AS THE PRESIDENT AND SECRETARY.

EXHIBIT P3. A PHOTOSTAT COPY OF THE COMPLAINANT SENT BY THE
PETITIONERS TO THE 2ND RESPONDENT DATED 07.11.2014.

RESPONDENT(S) ' EXHIBITS

EXT.R3(a) : TRUE COPY OF the MEMORANDUM OF ASSOCIATION OF KERALA
PRIMARY CO-OPERATIVE SERVICE PENSIONERS ASSOCIATION.

EXT.R3(b) : TRUE COPY OF THE AMENDED MEMORANDUM OF ASSOCIATION OF THE
KERALA PRIMARY CO-OPERATIVE SERVICE PENSIONERS ASSOCIATION.

EXT.R3(c) : TRUE COPY OF THE SALE DEED NO.2977/2013 OF SRO
THIRUVANANTHAPURAM.

EXT.R3(d) : TRUE COPY OF THE NOTICE DATED 14.8.2014.

//TRUE COPY//

P.A.TO JUDGE

ami/

A.M.SHAFFIQUE, J.

W.P.(C)No.30949 of 2014

Dated this the 4th day of December, 2015.

J U D G M E N T

On a perusal of the averments in the writ petition, it indicates that the writ petition is not maintainable. The petitioners are challenging the election held at Kerala Co-operative Service Pensioners' Association, which cannot be entertained by this Court in a writ petition under Article 226 of the Constitution of India. Hence, reserving the right of the petitioners to take appropriate proceedings in accordance with law, this writ petition is dismissed.

Sd/-
A.M.SHAFFIQUE,
JUDGE.

ami/

//True copy//

P.A. to Judge