

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 16TH DAY OF OCTOBER 2015/24TH ASWINA, 1937

WP(C).No. 31581 of 2015 (W)

PETITIONER: -

SEBASTIAN MATHEW, AGED 54 YEARS,
S/O. MATHEW, MANAGING DIRECTOR,
MULTI STATE AGRICULTURAL PRODUCERS
PROCESSING AND MARKETING CO-OPERATIVE SOCIETY LTD,
PALAIP O, KOTTAYAM 686575.

BY ADVS. SRI. JOHNSON MANAYANI
SRI. JEEVAN MATHEW MANAYANI

RESPONDENTS: -

1. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
GOVERNMENT OF KERALA,
P B NO 185, N S S BUILDING, THIRUVANANTHAPURAM-695001.
2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
GOVERNMENT OF KARNATAKA, NO.1, ALL ASKAR ROAD,
KARNATAKA-591306.
3. CHIEF EXECUTIVE, NATIONAL CO-OPERATIVE UNION OF INDIA,
NCUI, 3 SIRI INSTITUTIONAL AREA, GANDHI MARG,
NEW DELHI 110016.
4. STATE OF KERALA,
REP BY ITS SECRETARY TO CO-OPERATION, SECRETARIAT,
THIRUVANANTHAPURAM-695001
5. JOINT REGISTRAR,
GOVERNMENT OF INDIA AND CENTRAL REGISTRAR OF CO-OPERATIVE
SOCIETIES, GOVERNMENT OF INDIA, MINISTRY OF AGRICULTURE,
DEPARTMENT OF AGRICULTURE AND CO-OPERATION,
NEW DELHI 110001.

BY SRI. N. NAGARESH, ASSISTANT SOLICITOR GENERAL
BY GOVERNMENT PLEADER SRI. A.J. JOSE AEDAIODI

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
16-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 31581 of 2015 (W)

APPENDIX

PETITIONER'S EXHIBITS : -

EXHIBIT P1 : TRUE COPY OF THE CERTIFICATE OF REGISTRATION ISSUED BY
THE 5TH RESPONDENT DATED 31/12/2013.

EXHIBIT P2 : TRUE COPY OF THE BYE LAWS OF THE PETITIONER SOCEITY.

EXHIBIT P3 : TRUE COPY OF THE PROPOSED AMENDMENT PASSED BY THE
SOCEITY.

EXHIBIT P4 : TRUE COPY OF THE PETITION FILED BY THE PETITIONER SOCEITY
BEFORE THE FIRST RESPONDENT DATED 9/12/2014.

EXHIBIT P5 : TRUE COPY OF THE ACKNOWLEDGMENT ISSUED BY THE FIRST
RESPONDENT.

RESPONDENTS' EXHIBITS : - NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 31581 of 2015

Dated this the 16th day of October, 2015

JUDGMENT

The petitioner Society has decided to amend its bylaws. Having passed a resolution to the said effect, it has submitted a proposal to the first respondent with a request to have it forwarded to the fifth respondent. Complaining that the first respondent is not forwarding Exhibit P4 proposal to the fifth respondent, the petitioner has filed the present writ petition.

2. In response to the submissions made by the learned counsel for the petitioner, the learned Government Pleader, on his part, has submitted that the first respondent will consider the issue whether the proposal should be forwarded to the fifth respondent and take an appropriate decision in accordance with law, at the earliest point of time.

In the facts and circumstances, having regard to the respective submissions of the learned counsel for the petitioner and the learned Government Pleader for the respondents, this Court, without adverting to the merits of the matter, disposes of the present writ petition with a direction to the first

respondent to consider the issue of forwarding the proposal to the fifth respondent and take an appropriate decision in accordance with law, as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment.

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-