

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

FRIDAY, THE 30TH DAY OF OCTOBER 2015/8TH KARTHIKA, 1937

WP(C) .No. 33008 of 2015 (A)

PETITIONER(S) :

1. P.A. ANTONY, AGED 71 YEARS,
S/O.ANTONY, VAZHAYIL, KURIANAD P.O.,
MONIPPALLY VIA, KOTTAYAM.

2. K.P.MARYKUTTY, AGED 68 YEARS,
W/O.P.A.ANTONY, VAZHAYIL, KURIANAD P.O.
MONIPPALLY VIA, KOTTAYAM

BY ADV. SRI.K.P.RAJEEVAN

RESPONDENT(S) :

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT
CO-OPERATIVE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM, PIN: 695 001.

2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM, PIN: 695 001.

3. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL),
KOTTAYAM, PIN: 686 002.

4. THE MEENACHIL RUBBER MARKETING & PROCESSING
CO-OPERATIVE SOCIETY LTD NO K.118 REPRESENTED
BY THE MANAGING DIRECTOR,
PALA P.O., KOTTAYAM, PIN: 686 575.

5. THE PRESIDENT,
THE MEENACHIL RUBBER MARKETING & PROCESSING
CO-OPERATIVE SOCIETY LTD NO.K.118,
PALA P.O., KOTTAYAM, PIN: 686 575.

R1 TO R3 BY SR. GOVERNMENT PLEADER SRI. K.C. VINCENT

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 30-10-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

WP(C) .No. 33008 of 2015 (A)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1: TRUE COPY OF IDENTITY CARD ISSUED BY THE 4TH
RESPONDENT TO THE 1ST PETITIONER

EXT.P2:TRUE COPY OF IDENTITY CARD ISSUED BY THE 4TH
RESPONDENT TO THE 2ND PETITIONER

EXT.P3: A TRUE COPY OF FIXED DEPOSIT RECEIPT NUMBER 9952
DATED 28/2/2014 FOR RS.2,50,000/- ISSUED BY THE 4TH
RESPONDENT TO THE 1ST PETITIONER

EXT.P4:A TRUE COPY OF FIXED DEPOSIT RECEIPT NUMBER 7881
DATED 24/12/2012 FOR RS.3,00,000/- ISSUED BY THE 4TH
RESPONDENT TO THE 2ND PETITIONER

EXT.P5:A TRUE COPY OF FIXED DEPOSIT RECEIPT NUMBER 9953
DATED 28/2/2014 FOR RS.2,50,000/- ISSUED BY THE 4TH
RESPONDENT TO THE 2ND PETITIONER

EXT.P6: A TRUE COPY OF RELEVANT PAGES OF SAVINGS DEPOSIT
PASS BOOK VIDE ACCOUNT NUMBER 964.

EXT.P7: TRUE COPY OF REPRESENTATION DATED 2/9/2015 FILED
BY THE PETITIONERS BEFORE THE 3RD RESPONDENT.

RESPONDENT(S) ' EXHIBITS

NIL

//true copy//

P.S. to Judge

K. HARILAL, J.

W.P. (C) No.33008 of 2015-A

Dated this the 30th day of October, 2015

JUDGMENT

The petitioners are the members of the 4th respondent/Society. The grievance of the petitioners is that they have deposited amounts in the Society as evident from Exts.P3 to P6. The maturity date of the deposits were over in March, 2015. Even after repeated demands, the amount deposited is not given to the petitioners. The 3rd respondent has supervision and control over the 4th respondent/Society, as per the provisions of the Kerala Co-operative Societies Act, 1969. The petitioners are in dire need of money. Hence the petitioners approached the 3rd respondent and filed Ext.P7 representation praying to take

necessary steps to get the amount due to the petitioners. But the 3rd respondent has not taken any action on it.

2. Heard the learned counsel for the petitioners.

3. The amount deposited by the petitioners is evidenced by Exts.P3 to P6. Indisputably, they are entitled to get back the amount in terms of the deposit. The 3rd respondent is statutorily liable to consider the grievance of the petitioners; but the same has not been effected so far.

4. Having regard to the above facts, the 3rd respondent is directed to consider Ext.P7 representation and pass necessary orders, after affording opportunity of being heard to the petitioners also, at the earliest, at any rate, within a period of one month from the date of production of this judgment.

This writ petition is disposed of accordingly.

Sd/-

(K. HARILAL, JUDGE)

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P.S. to Judge