

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

WP(C).No. 37453 of 2010 (F)

PETITIONER:

K.T.JOY, AGED 51 YEARS,
S/O.THOMAS, KUNALIL HOUSE,
PUTHURUTHY P.O.,
VADAKKANCHERRY, THRISSUR.

BY ADVS.SRI.C.HARIKUMAR
SMT.MOLLY KOSHY

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY
JOINT REGISTRAR (GENERAL),
CO-OPERATIVE SOCIETIES,
THRISSUR-680 001.
2. ASST.REGISTRAR (GENERAL),
THALAPPILLY TALUK, VADAKKANCHERRY
THRISSUR-680 582.
3. JOHNY VARGHESE, CO-ORDINATOR,
HUMAN RIGHTS PROTECTION CENTRE,
THALOR, THRISSUR-680 306.

R3 BY STANDING COUNSEL SRI.P.K.SAJEEV
BY SPECIAL GOVERNMENT PLEADER SRI. D. SOMASUNDARAM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30-01-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : A TRUE COPY OF THE NOTICE DT. 13.08.2010.
- EXHIBIT P2 : A TRUE COPY OF THE OBJECTION FILED BY THE PETITIONER
DATED 18.08.2010.
- EXHIBIT P3 : A TRUE COPY OF THE NOTICE PURPORTING TO BE UNDER RULE
44(3) OF THE RULES ISSUED BY THE 1ST RESPONDENT NO. CRP
(1) 4446/2010 DT. NIL.
- EXHIBIT P4 : A TRUE COPY OF THE ORDER OF THE JOINT REGISTRAR
GENERAL DT. 02.02.2011.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 37453 OF 2010

Dated this the 30th day of January, 2015

JUDGMENT

Ext.P4 order disqualifying the petitioner from being a member of the Managing Committee of the Puthuruthy Service Co-operative Bank is impugned. The remedy of the petitioner is to challenge Ext.P4 order in appeal under Section 83(1)(j) of the Kerala Co-operative Societies Act. This is particularly so since many disputed questions of fact arise for consideration.

2. Any appeal filed by the petitioner within one month from today shall be dealt with by the government within three months thereafter. The interim order of stay of implementation of Ext.P4 order shall continue only till the appeal is finally disposed of. The petitioner will lose the benefit of this judgment if he omits to file a properly constituted appeal in time.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**