

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 9TH DAY OF MARCH 2015/18TH PHALGUNA, 1936

WP(C).No. 34508 of 2014 (K)

PETITIONERS:

- 1. THIRUVANCHOOR SERVICE CO-OPERATIVE BANK,
LIMITED NO. 1942, THIRUVANCHUR, KOTTAYAM
REP. BY ITS SECRETARY**
- 2. THE PRESIDENT,
THIRUVANCHOOR SERVICE CO-OPERATIVE BANK, LIMITED NO. 1942
THIRUVANCHUR, KOTTAYAM.**

BY ADV. SRI.P.C.SASIDHARAN

RESPONDENTS:

- 1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL), KOTTAYAM - 686 001**
- 2. THE ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), KOTTAYAM - 686 001**
- 3. TINTU M. KORA,
JUNIOR CLERK
THIRUVANCHOOR SERVICE CO-OPERATIVE BANK
THIRUVANCHOOR, KOTTAYAM - 686 037**

R1 & R2 BY GOVERNMENT PLEADER SRI. T.R. RAJESH

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
09-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 34508 of 2014 (K)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1- TRUE COPY OF THE RESOLUTION NO.2 ADOPTED BY THE
MANAGING COMMITTEE DATED 22/03/2013.**

**EXHIBIT-P2- TRUE COPY OF THE COMMUNICATION ISSUED BY THE IST
RESPONDENT DATED 30/07/2014.**

**EXHIBIT-P3- TRUE COPY OF THE REPRESENTATION PREFERRED BY THE 2ND
PETITIONER DATED 23/09/2014.**

**EXHIBIT-P4- TRUE COPY OF THE COMMUNICATION ISSUED BY THE IST
RESPONDENT DATED 12/11/2014.**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 34508 OF 2014

Dated this the 9th day of March, 2015

JUDGMENT

The petitioners have been saddled with the liability to pay salary and emoluments to the third respondent during the period when she was undergoing J.D.C. course. Such order could not have been passed without notice to the petitioner bank especially when there is a financial implication.

2. I accordingly quash Ext.P2 order and Ext. P4 consequential order passed by the first respondent Joint Registrar. The first respondent shall pass fresh orders after hearing the petitioners and the third respondent within one month. The question of jurisdiction of the first respondent to entertain such claims can also be raised by the petitioners therein.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS