

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 5TH DAY OF JANUARY 2015/15TH POUSHA, 1936

WP(C).No. 34513 of 2014 (L)

PETITIONER:

ALICE VARGHESE, AGED 49 YEARS,
W/O.MR. JOSE K. ABRAHAM, JUNIOR CLERK (REVERTED)
THE SREEKANDAMANGALAM SERVICE CO-OPERATIVE BANK
LIMITED NO. 974
MUTTATHIPPARAMBU P.O., CHERTHALA, ALAPPUZHA - 688 527.

BY ADVS.SRI.GEORGE POONTHOTTAM
SRI.ARUN CHANDRAN

RESPONDENTS:

1. THE SREEKANDAMANGALAM SERVICE CO-OPERATIVE
BANK LIMITED NO. 974, MUTTATHIPPARAMBU P.O., CHERTHALA,
ALAPPUZHA - 688 527, REPRESENTED BY ITS SECRETARY.
2. THE PRESIDENT,
THE SREEKANDAMANGALAM SERVICE CO-OPERATIVE BANK
LIMITED NO. 974
MUTTATHIPPARAMBU P.O., CHERTHALA, ALAPPUZHA - 688 527.
3. THE BOARD OF DIRECTORS/APPELLATE AUTHORITY,
THE SREEKANDAMANGALAM SERVICE CO-OPERATIVE BANK
LIMITED NO. 974
MUTTATHIPPARAMBU P.O., CHERTHALA, ALAPPUZHA - 688 527
REPRESENTED BY ITS PRESIDENT.

R2-R3 BY ADV. SRI.V.G.ARUN
R2-R3 BY ADV. SRI.T.R.HARIKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
05-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 34513 of 2014 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1-TRUE COPY OF THE JUDGMENT IN W.P(C) 23980/2012 DATED
11/12/2013.

EXHIBIT-P2-TRUE COPY OF THE JUDGMENT IN W.P(C) 12629/2014 DATED
14/11/2014.

EXHIBIT-P3-TRUE COPY OF THE JUDGMENT IN W.A.NO. 1803/2014 DATED
01/12/2014.

EXHIBIT-P4-TRUE COPY OF THE MEMORANDUM OF APPEAL FILED UNDER RULE 198
OF THE KCS RULES DATED 08/12/2014, BEFORE THE IST
RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.34513 of 2014

Dated this the 5th day of January, 2015

J U D G M E N T

The limited prayer put forth is for a direction to the third respondent to consider Ext.P4 appeal filed under Rule 198 of the Kerala Co-operative Societies Rules. The appeal has been filed by the petitioner challenging the imposition of punishment on her. I direct the third respondent to consider Ext.P4 appeal on merits with notice to the petitioner. The needful shall be done within a period of three months from the date of receipt of a copy of this judgment.

2. It is only proper that the members of the sub-committee who initially imposed punishment as well as the President who endorsed the same keeps away. This is to ensure purity of justice in the disposal of a statutory appeal in the light of the decision in Kunhammad v. Joint Registrar [1998 (1) KLT 60]. Respondents 1 to 3 submit that sufficient quorum will be available even if the members referred to above keeps away. There can therefore be no impediment in

the disposal of Ext.P4 appeal on merits as warranted by law.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.