

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

WP(C).No. 35127 of 2014 (M)

PETITIONER(S):

PALLICHAL FARMERS SERVICE CO-OP BANK LIMITED NO.T 677,
VEDIVECHANKOVIL.P.O., THIRUVANANTHAPURAM
REPRESENTED BY ITS MANAGING DIRECTOR.

BY ADVS.SRI.K.B.PRADEEP
SRI.ASHOK SURESH

RESPONDENT(S):

1. THE STATE OF KERALA
REPRESENTED BY THE SECRETARY
DEPARTMENT OF CO-OPERATION, THIRUVANANTHAPURAM
PIN - 695 001.
2. THE REGISTRAR
CO-OPERATIVE DEPARTMENT, GOVERNMENT OF KERALA
THIRUVANANTHAPURAM, PIN - 695 001.
3. THE JOINT REGISTRAR (GENERAL)
CO-OPERATIVE DEPARTMENT, THIRUVANANTHAPURAM
PIN - 695 001.
4. DIRECTOR OF AUDITS
CO-OPERATIVE DEPARTMENT, GOVERNMENT OF KERALA
THIRUVANANTHAPURAM, PIN - 695 001.
5. THE CONCURRENT AUDITOR FOR VENPAKAL GROUP
OFFICE OF THE JOINT DIRECTOR OF AUDITS
CO-OPERATIVE DEPARTMENT, GOVERNMENT OF KERALA,
OLYMPIC ASSN, PALAYAM, THIRUVANANTHAPURAM
PIN - 695 001.

R BY SPL.GOVERNMENT PLEADER SRI.D.SOMASUNDARAM.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
07-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 35127 of 2014 (M)

APPENDIX

PETITIONERS' EXHIBITS

EXHIBIT P1: TRUE COPY OF THE ORDER DATED 28/11/2014.

RESPONDENTS' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.35127 of 2014

Dated this the 7th day of January, 2015

J U D G M E N T

Ext.P1 order merely appoints the Unit Inspector attached to the office of the Assistant Registrar (General) Neyyattinkara to conduct an enquiry under Section 65 of the Kerala Co-operative Societies Act. The same has been passed on the basis of the letter No.CP (3) 13059/14 dated 6.11.2014 of the second respondent as regards the working of the society. The petitioner is free to challenge Ext.P1 order in an appeal under Section 83(1)(j) of the Kerala Co-operative Societies Act.

2. The petitioner is at liberty to satisfy the Unit Inspector about the working of the Society and the transparency of its transactions. The petitioner can urge before the enquiry officer that the report of the second respondent relied on is not a final one. The petitioner is also free to apply for a copy of the report of the second respondent relied on for the enquiry.

3. It is pre-mature to set aside Ext.P1 order at this juncture in exercise of the writ jurisdiction.

I hasten to add that I have not pronounced on the merits of the case in order to prejudice the petitioner in the enquiry or in the appeal.

The writ Petition is dismissed.

Sd/-
V.CHITAMBARESH,
Judge.

nj.