

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 1ST DAY OF DECEMBER 2015/10TH AGRAHAYANA, 1937

WP(C).No. 36255 of 2015 (F)

PETITIONER : -

ENANALLOOR SERVICE CO-OPERATIVE BANK LTD NO 1447,
AYANAP.O., PIN 686 668,
REPRESENTED BY ITS SECRETARY.

BY ADVS. SRI.M.M.MONAYE
SRI.M.PAUL VARGHESE
SRI.T.KOSHY

RESPONDENTS : -

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
DEPARTMENT OF CO-OPERATION, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM 695 001.
2. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES(GENERAL),
ERNAKULAM, COCHIN 682 016.

BY SR. GOVERNMENT PLEADER SRI. K.C. VINCENT

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
01-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 36255 of 2015 (F)

APPENDIX

PETITIONER'S EXHIBITS : -

EXHIBIT P1 : PHOTOCOPY OF THE TENTATIVE BALANCE SHEET AS ON
31-03-2015.

EXHIBIT P2 : TRUE PHOTOCOPY OF THE STATEMENT SHOWING THE FINANCIAL
POSITION OF THE BANK.

EXHIBIT P3 : TRUE COPY OF THE ORDER NO CRP(2) 9140/2013 DATED 17-2-2014
OF THE 2ND RESPONDENT ALONG WITH TRUE ENGLISH
TRANSLATION OF EXT.P3.

EXHIBIT P4 : TRUE COPY OF THE PROCEEDINGS OF THE 2ND RESPONDENT
FREEZING THE ORDER ALONG WITH TRUE ENGLISH
TRANSLATION OF EXT.P4.

EXHIBIT P5 : TRUE COPY OF THE STAY ORDER IN W.P(C) NO 6653/2014.

EXHIBIT P6 : TRUE COPY OF THE REQUEST DATED 15-07-2015.

EXHIBIT P7 : TRUE COPY OF THE MANAGING COMMITTEE RESOLUTION FOR
SANCTION OF THE BRANCH DATED 12-06-2015 ALONG WITH TRUE
ENGLISH TRANSLATION OF EXT.P7.

RESPONDENTS' EXHIBITS : - NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 36255 of 2015

Dated this the 01st day of December, 2015

JUDGMENT

Heard the learned counsel for the petitioner Bank and the learned Government Pleader for the respondents, apart from perusing the record. Since the issue lies in a narrow compass, this Court proposes to dispose of the writ petition at the admission stage itself.

2. The petitioner Bank, desirous of opening a branch within its area of operation, has submitted Exhibits P6 and P7 applications before the second respondent. Ventilating its grievance that the second respondent has so far not disposed of those applications, the petitioner Bank has come before this Court.

3. In response to the submissions made by the learned counsel for the petitioner, the learned Government Pleader has submitted that the second respondent is willing to consider petitioner's Exhibits P6 and P7 representations in accordance with law.

In the facts and circumstances, having regard to the submissions of the learned counsel for the petitioner and the learned Government Pleader for the respondents, this Court, without expressing any opinion on the merits of the matter, disposes of the present writ petition with a direction to the second respondent to consider Exhibits P6 and P7 representations of the petitioner in accordance with law, and pass appropriate orders thereon as expeditiously as possible, at any rate, within a period of two months from the date of receipt of a copy of this judgment. No order as to costs.

DAMA SESHADRI NAIDU
JUDGE

DMR/-