IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V

WEDNESDAY, THE 09TH DAY OF DECEMBER 2020 / 18TH AGRAHAYANA, 1942

WP(C).No.23537 OF 2020(N)

PETITIONER:

MUHAMMED SADIQUE. T
AGED 33 YEARS
S/O.ABDUL RAHIMAN, RESIDING AT THEVENGATTU HOUSE,
PULLIPARAMBA P.O., MALAPPURAM, PIN CODE-673 634.

BY ADVS.
SRI.NAVOD PRASANNAN PATTALI
SRI.K.V.KRISHNAKUMAR

RESPONDENTS:

1 **THE REGISTRAR OF CO-OPERATIVE SOCIETIES**
OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
JAWAHAR SAHAKARANA BHAVAN, DPI JUNCTION,
THYCAUD P.O., THIRUVANANTHAPURAM, PIN CODE-695 014.

2 **THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,**
(GENERAL),
MALAPPURAM, PIN CODE-676 504.

3 **CHELEMBRA SERVICE CO-OPERATIVE BANK LTD.,**
NO.D 1953, IDIMUZHIKKAL, CHELEMBRA P.O., MALAPPURAM,
PIN CODE-673 634, REPRESENTED BY ITS SECRETARY.

4 **THE BOARD OF DIRECTORS,**
CHELEMBRA SERVICE CO-OPERATIVE BANK LTD.NO.D 1953,
IDIMUZHIKKAL, CHELEMBRA P.O., MALAPPURAM,
PIN CODE-673 634.

R3-4 BY ADV. SRI.GEORGE POONTHOTTAM (SR.)
R3-4 BY ADV. SMT.NISHA GEORGE

SRI KP HARISH, SR GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09.12.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioner states that he was working as an attender in the third respondent bank. While working as aforesaid he was forced to tender his resignation. Later, he withdrew his resignation before the same was accepted by the Governing body but the same was not accepted. When the respondents proceeded to recruit fresh candidates to the post of Attender, the petitioner approached the Co-operative Arbitration Court (Northern), Kozhikkode and initiated proceedings to interdict the same. At the same time, he approached this Court to stay the recruitment process and by Exhibit P1 order dated 29.7.2020, the 3rd respondent was ordered to refrain from making any appointment without orders from this Court. Later, the Arbitration Court proceeded to pass Exhibit P2 order restraining the appointment. The petitioner states that despite Exhibit P1 and Exhibit P2 orders, the 3rd respondent refused to initiate any positive action for implementing the order passed by the Arbitration Court. Being aggrieved, he submitted Exhibit P3 representation requesting the second respondent to initiate steps to implement Exhibit P2 order. This was followed up with Exhibit P5 letter dated 17.9.2020 seeking more or less the same prayer. His grievance is that no action has been taken till date. It is in the afore circumstances that the petitioner has approached this Court seeking a direction to the second respondent to

consider his requests in an expeditious manner.

2. I have heard Sri Navod Prasannan, the learned counsel appearing for the petitioner, Smt Nisha George, the learned counsel appearing for the respondents 3 and 4 and the learned senior Government Pleader.

3. It is submitted by the learned Government Pleader that there is no impediment in considering Exhibit P3 request in accordance with law.

4. Having considered the submissions, this Writ Petition is disposed of directing the 2nd respondent to consider Exhibit P3 and P5 submitted by the petitioner and take appropriate action that the said authority may deem fit and proper in the facts and circumstances. The 2nd respondent, before taking appropriate decision, may hear the petitioner as well as the party respondents.

Sd/-

RAJA VIJAYARAGHAVAN V

JUDGE

NS

APPENDIX OF WP(C) 23537/2020

PETITIONER'S EXHIBITS:

EXHIBIT P1	TRUE COPY OF THE ORDER DATED 29.07.2020 IN WRIT PETITION (CIVIL) NO.15420 OF 2020 OF THIS HON'BLE COURT.
EXHIBIT P2	TRUE COPY OF THE ORDER DATED 17.08.2020 IN IA NO.58 OF 2020 IN ARC NO.30 OF 2020 OF THE HON'BLE CO-OPERATIVE ARBITRATION COURT (NORTHERN), KOZHIKODE.
EXHIBIT P3	TRUE COPY OF THE APPLICATION DATED 07.09.2020 ISSUED BY THE PETITIONER TO THE 2ND RESPONDENT.
EXHIBIT P4	TRUE COPY OF THE RECEIPT DATED 07.09.2020 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.
EXHIBIT P5	TRUE COPY OF THE LETTER DATED 17.09.2020 ISSUED BY THE PETITIONER TO THE 2ND RESPONDENT.
EXHIBIT P6	TRUE COPY OF THE RECEIPT DATED 17.09.2020 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.

RESPONDENTS EXHIBITS:NIL

//TRUE COPY//

P.A TO JUDGE