

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

FRIDAY, THE 29TH DAY OF MAY 2015/8TH JYAISHTA, 1937

WP(C).No. 10964 of 2015 (U)

PETITIONER:

M.I.RAJAPPAN,
FORMER PRESIDENT,
VELLOOR SERVICE CO-OPERATIVE BANK LTD NO K. 231,
VELLOOR P.O., PAMPADY, KOTTAYAM DISTRICT.

BY ADVS.SRI.T.A.SHAJI (SR.)
SMT.NAMITHA JYOTHISH

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT,
CO-OPERATION (C) DEPARTMENT, THIRUVANANTHAPURAM,
PIN-695 001
2. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,
KOTTAYAM, PIN-686 001.
3. THE KARALA CO-OPERATIVE ELECTION COMMISSION,
THIRUVANANTHAPURAM, REPRESENTED BY ITS SECRETARY,
PIN-695 001
4. VELLOOR SERVICE CO-OPERATIVE BANK LTD NO. K.231,
VELLOOR, PAMPADY P.O.,
KOTTAYAM DISTRICT - 686 502.
REPRESENTED BY THE CONVENOR OF THE
ADMINISTRATIVE COMMITTEE,
SRI. ANEESHMON T.K.

R4 BY ADV. SRI.GEORGE POONTHOTTAM
R BY SRI. JOHN VARGHESE, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
29-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(C).No. 10964 of 2015 (U)

: 2 :

APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE LIST OF CANDIDATES PUBLISHED BY THE 5TH
RESPONDENT ON 07.11.2014.

EXHIBIT P2: TRUE COPY OF THE JUDGMENT DATED 02.12.2014 IN WP(C)
NO.30365/14 OF THIS HON'BLE COURT.

EXHIBIT P3: TRUE COPY OF THE JUDGMENT DATED 03.12.2014 IN WRIT APPEAL
1833/2014 OF THIS HON'BLE COURT.

EXHIBIT P4: TRUE COPY OF THE ORDER DATED 18.12.2014 OF THE 2ND
RESPONDENT.

RESPONDENTS' EXHIBITS : NIL

/True Copy/

P.A to Judge.

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 10964 of 2015 (U)

Dated this the 29th day of May, 2015.

JUDGMENT

Heard the learned counsel for the petitioner, the learned Government Pleader, and the learned counsel for the 4th respondent, 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, who is a former president of the 4th respondent Bank, has a grievance that the Administrative committee of the respondent Bank has not been conducting elections deliberately, despite the fact that the term of the earlier managing committee came to an end by 04.12.2014.

3. The learned counsel for the 4th respondent, on his part, has submitted that it has got every intention to conduct elections as expeditiously as possible, and that it has been delayed only because of unavoidable administrative constraints. At any rate, the learned counsel, in my view, has

fairly submitted that the 4th respondent will pass necessary resolution within the upper limit of three months to conduct elections, and further forward it to the 3rd respondent Election Commission. Indeed, once such a resolution as has been undertaken by the 4th respondent is passed, it is for the 3rd respondent to take further steps in statutory terms.

In the facts and circumstances, having regard to the respective submissions of the learned Counsel for the petitioner and the learned counsel for the 4th respondent, this Court, without adverting to the merits of the matter, disposes of the writ petition recording the undertaking of the 4th respondent to pass necessary resolution in three months to conduct elections as has been indicated above. No order as to costs.

sd/- DAMA SESHADRI NAIDU, JUDGE.

