

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C) .No.39749 OF 2017 (P)

PETITIONER/S:

- 1 ABDURAHIMAN P.
AGED 62 YEARS
62 YEARS, S/O.MOYIN, PAIKATTUTHODIKA HOUSE,
KARINTHAR, MAMPAD COLLEGE P.O.,MALAPPURAM DISTRICT-
676542.(PRESIDENT, INFORMATION TECHNOLOGY CO-OP.
SOCIETYMALAPPURAM, UP HILL P.O., MALAPPURAM) .
- 2 ABDUL LATHEEF
AGED 50 YEARS
50 YEARS, S/O.MOYIN, ERANHIKKAL HOUSE, EDAVANNA
P.O., MALAPPURAM DISTRICT-676541.(BRANCH MANAGER,
MALAPPURAM DISTRICT CO-OP. BANK LTD.)
- 3 MUHAMMED RAFI V.V.
AGED 41 YEARS, S/O.VEERAN V.V.,VARTHICHOLA (HOUSE) ,
AKAMPADAM, ERANHIMANGAD P.O., NILAMBUR
(VIA),MALAPPURAM DISTRICT-679329.(SENIOR CLERK
KARUVARAKUNDU SERVICE CO-OP. BANK LTD.
F1191),H.O.KARUVARAKUNDU,THARISH P.O., MALAPPURAM
DISTRICT.
- 4 KRISHNAKUMAR G.
AGED 47 YEARS, S/O.GOVINDANKUTTY NAIR, JAIMADOM,
THENHIPALAM P.O., MALAPPURAM -673636.(SR. CLERK,
THENNALA SERVICE CO-OP. BANK LTD.
F720,MELEKOZHICHENA, VAAKULAM P.O., MALAPPURAM)
- 5 K.NAZIR
AGED 47, S/O.K.MOHAMMED HAJI (LATE),KOLAKKADAN
HOUSE, KARUVARAKUNDI P.O.,MALAPPURAM DISTRICT.
(WORKING IN INDIRA GANDHI GOVT. EMPLOYEES CO-OP.
SOCIETY LTD. NO.M 318, KARUVARAKUND P.O.,-678523,AS
SECRETARY) .
- 6 SALINI K.P.
AGED 33, W/O.JOJI K JOY, KUREEKAL HOUSE, HOUSE
NO.27/2524, KADAVANTHRA P.O.,KOCHI .
- 7 PRIYANKA GIREESH
AGED 43, W/O.GIREESH, NELSSERIL HOUSE, MOOTHAKUNNAM
P.O., NORTH PARAVOOR.

- 8 BUSHARA K.M.
AGED 39, W/O.SHAMEER K.I., KALLUNGAL HOUSE,
EDAYAPURAM, ALUVA P.O.
- 9 JAMES MATHEW
AGED 34, S/O.A.I.MATHAI, AMBAZHACHALIL HOUSE,
ELAVAMPADAM P.O., KAKKENCHERY, PALAKKAD DISTRICT.
- BY ADVS.
SMT.AYSHA YOUSEFF
SRI.C.M.EBRAHIM
SRI.JOBI.A.THAMPI
SMT.M.KABANI DINESH
SMT.MOLLY JACOB
SMT.RABIA BEEGAM T.K.
SRI.SHOUKATH HUSAIN

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
DEPARTMENT OF CO-OPERATION, SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES
JAWAHAR SAHAKARANA BHAVAN, DPI JUNCTION, THYCADU
P.O., THIRUVANANTHAPURAM-14.
- 3 GOVERNOR RESERVE BANK OF INDIA RBI
CENTRAL OFFICE BUILDING, 18TH FLOOR, SHAHID BHAGAT
SINGH ROAD, MUMBAI-400001.
- 4 CHAIRMAN NATIONAL BANK FOR AGRICULTURE RURAL
DEVELOPMENT NABARD
PLOT C-24, G.BLOCK, BANDRA KURLA COMPLEX, BKC ROAD,
BANDRA EAST, MUMBAI, MAHARASHTRA-400051.
- 5 CHIEF GENERAL MANAGER
NATIONAL BANK FOR AGRICULTURE & RURAL DEVELOPMENT
(NABARD), POST BOX NO.220, PUNNEN ROAD, KERALA-
695001, THIRUVANANTHAPURAM.
- 6 MINISTRY OF FINANCE
REPRESENTED BY ITS SECRETARY, NORTH BLOCK, CABINET
SECRETARIAT, RAISINA HILL, NEW DELHI-110001.
- 7 KERALA PUBLIC SERVICE COMMISSION
REPRESENTED BY ITS SECRETARY,
PATTOM, THIRUVANANTHAPURAM-695004.

R1 BY SRI.K.K.RAVINDRANATH, ADDL.ADVOCATE GENERAL
R1-2, R6 BY GOVERNMENT PLEADER

R6 BY ADV. SRI.JAISHANKAR V.NAIR, CGC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-11-2019, ALONG WITH WP(C).5902/2018(K) AND CONNECTED CASES, THE COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.5902 OF 2018

PETITIONER/S:

- 1 THOMAS MATHEW
 PRESIDENT, THE ALAKODE SCB LTD.NO.
 1588,KALAYANTHANI P.O., THODUPUZHA, IDUKKI
 DISTRICT.
- 2 N.SUBRAMANIAN
 CHAIRMAN, THE KURUVATTOOR SERVICE CO-OPERATIVE BANK
 LTD, KOZHIKODE - 673 611.

BY ADVS.
SRI.GEORGE POONTHOTTAM (SR.)
SMT.NISHA GEORGE

RESPONDENT/S:

- 1 RESERVE BANK OF INDIA
 CENTRAL OFFICE BUILDING, 18TH FLOOR, SHAHID BHAGATH
 SINGH MARG, FORT, MUMBAI - 400 001, REPRESENTED BY
 THE GOVERNOR.
- 2 THE CHIEF GENERAL MANAGER
 DEPARTMENT OF CO-OPERATIVE BANKS SUPERVISION
 (DCBS), RESERVE BANK OF INDIA, CENTRAL OFFICE
 BUILDING, SHAHID BHAGATH SINGH MARG, FORT, MUMBAI -
 400 001.
- 3 THE EXECUTIVE DIRECTOR
 DEPARTMENT OF CO-OPERATIVE BANKS SUPERVISION
 (DCBS), RESERVE BANK OF INDIA, CENTRAL OFFICE
 BUILDING, SHAHID BHAGATH SINGH MARG, FORT, MUMBAI -
 400 001.
- 4 THE CHAIRMAN
 NATIONAL BANK FOR AGRICULTURAL AND RURAL
 DEVELOPMENT (NABARD), CENTRAL OFFICE BANDRA KURLA
 COMPLEX, BKC ROAD, BANDRA, MUMABI - 400 051.
- 5 THE REGIONAL DIRECTOR
 RESERVE BANK OF INDIA, BAKERY
 JUNCTION, THIRUVANANTHAPURAM - 695 001.

- 6 THE CHIEF GENERAL MANAGER
NABARD, KERALA REGIONAL OFFICE, PUNNEN ROAD,
THIRUVANANTHAPURAM - 695 001.
- 7 THE CHIEF SECRETARY
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM - 695 001.
- ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.19166 OF 2019(U)

PETITIONER/S:

- 1 PULPATTA SERVICE CO-OPERATIVE BANK LTD.
NO.F.1521, PULPATTA.P.O., ERNANAD TALUK, MALAPPURAM
DISTRICT-676123, REPRESENTED BY THE PRESIDENT,
E.ABOOBACKER.
- 2 KADANNAMANNA SERVICE CO-OPERATIVE
BANK LTD.NO.10561, KADANNAMANNA.P.O., MALAPPURAM
DISTRICT-679324, REPRESENTED BY THE PRESIDENT
K.ASGAR ALI.
- 3 E.ABOOBACKER
DELEGATE, GENERAL COUNCIL, MALAPPURAM DISTRICT CO-
OPERATIVE BANK LTD.NO.4329, HEAD OFFICE, P.B.NO.8,
MALAPPURAM -676505.
- 4 K.ASGAR ALI
DELEGATE, GENERAL COUNCIL, MALAPPURAM DISTRICT CO-
OPERATIVE BANK LTD.NO.4329, HEAD OFFICE, P.B.NO.8,
MALAPPURAM -676505.

BY ADVS.

SRI.GEORGE POONTHOTTAM (SR.)

SRI.ARUN CHANDRAN

SMT.NISHA GEORGE

RESPONDENT/S:

- 1 RESERVE BANK OF INDIA,
CENTRAL OFFICE BUILDING, 18TH FLOOR, SHAHID BHAGATH
SINGH MARG, FORT, MUMBAI-400001, REPRESENTED BY THE
GOVERNOR.
- 2 THE CHIEF GENERAL MANAGER,
DEPARTMENT OF CO-OPERATIVE BANK REGULATION, RESERVE
BANK OF INDIA, CENTRAL OFFICE, C-7, 1ST FLOOR,
BANDRA KURLA COMPLEX, BANDRA EAST, MUMBAI-400051.
- 3 THE CHIRMAN,
NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT, (NABARD), CENTRAL OFFICE, BANDRA KURLA

COMPLEX, BKC ROAD, BANDRA, MUMBAI-400051.

- 4 THE CHIEF GENERAL MANAGER,
NABARD, KERALA REGIONAL OFFICE, PUNNEN ROAD,
THIRUVANANTHAPURAM-695001.
- 5 THE CHIEF SECRETARY,
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 6 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
O/O.REGISTRAR OF CO-OPERATIVE SOCIETIES, D.P.I.
JUNCTION, THIRUVANANTHAPURAM-695014.
- 7 JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL),
OFFICE OF THE JOINT REGISTRAR (GENERAL) OF CO-
OPERATIVE SOCIETIES, MALAPPURAM-676001.
- 8 THE PART TIME ADMINISTRATOR,
MALAPPURAM DISTRICT CO-OPERATIVE BANK LTD.NO.4329,
HEAD OFFICE, P.B.NO.8, MALAPPURAM- 676505.
- 9 THE MALAPPURAM DISTRICT CO-OPERATIVE BANK
LTD.NO.4329,
HEAD OFFICE, P.B.NO.8, MALAPPURAM- 676505,
REPRESENTED BY THE GENERAL MANAGER.

ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD
SHRI I.V.PRAMOD, DCB MALAPPURAM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.28791 OF 2019(Y)

PETITIONER/S:

ANAPANTHY SERVICE CO-OPERATIVE BANK LTD. NO.F.1516,
ANGADIKKADAVU P.O., IRITTY VIA, KANNUR DISTRICT,
REPRESENTED BY ITS PRESIDENT, JAISON THOMAS,
RESIDING AT NIDHIRIKKAL HOUSE, ANGADIKKADAVU P.O.,
KANNUR DISTRICT.

BY ADVS.
SRI.GEORGE POONTHOTTAM (SR.)
SMT.NISHA GEORGE

RESPONDENT/S:

- 1 RESERVE BANK OF INDIA,
CENTRAL OFFICE BUILDING, 18TH FLOOR, SHAHID BHAGATH
SINGH MARG, FORT, MUMBAI - 400 001, REPRESENTED BY
THE GOVERNOR.
- 2 THE CHIEF GENERAL MANAGER,
DEPARTMENT OF CO-OPERATIVE BANK REGULATION, RESERVE
BANK OF INDIA, CENTRAL OFFICE, C-7, 1ST FLOOR,
BANDRA KURLA COMPLEX, BANDRA EAST, MUMBAI - 400
051.
- 3 THE CHAIRMAN, NATIONAL BANK FOR AGRICULTURAL AND
RURAL DEVELOPMENT,
(NABARD), CENTRAL OFFICE, BANDRA KURLA COMPLEX, BKC
ROAD, BANDRA, MUMBAI - 400 051.
- 4 THE CHIEF GENERAL MANAGER,
NABARD, KERALA REGIONAL OFFICE, PUNNEN ROAD,
THIRUVANANTHAPURAM -695 001.
- 5 THE CHIEF SECRETARY,
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 6 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
O/O. REGISTRAR OF CO-OPERATIVE SOCIETIES,
D.P.I.JUNCTION, THIRUVANANTHAPURAM - 695 014.

- 7 JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
 (GENERAL) ,
 OFFICE OF THE JOINT REGISTRAR (GENERAL) OF CO-
 OPERATIVE SOCIETIES, KANNUR - 670 001.
- 8 THE KANNUR DISTRICT CO-OPERATIVE BANK,
 1ST FLOOR, HEAD POST OFFICE BUILDING, KANNUR - 670
 001, REPRESENTED BY THE GENERAL MANAGER.
- ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
 SHRI MILLU DANDAPANI FOR RBI
 SHRI K.P.SUJESH KUMAR FOR NABARD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.3960 OF 2019(T)

PETITIONER/S:

K.J.JOSE
AGED 62 YEARS
S/O. JOHN, PRESIDENT, THE KAPPUMTHALA SERVICE CO-
OPERATIVE BANK LTD, NO. K-142, KAPPUMTHALA P.O,
KOTTAYAM DISTRICT-686 613, RESIDING AT KANIVELIL,
MUTTUCHIRA P.O, KOTTAYAM DISTRICT-686 612

BY ADVS.
SRI.GEORGE POONTHOTTAM (SR.)
SRI.ARUN CHANDRAN
SRI.RIJI RAJENDRAN
SMT.NISHA GEORGE
SRI.J.VISHNU
SRI.VISHNU B.KURUP

RESPONDENT/S:

- 1 RESERVE BANK OF INDIA
CENTRAL OFFICE BUILDING, 18TH FLOOR, SHAHID BHAGATH
SINGH MARG, FORT MUMBAI-400 001, REPRESENTED BY THE
GOVERNOR.
- 2 THE CHIEF GENERAL MANAGER
DEPARTMENT OF CO-OPERATIVE BANK REGULATION, RESERVE
BANK OF INDIA, CENTRAL OFFICE, C-7, 1ST FLOOR,
BANDRA KURLA COMPLEX, BANDRA EAST, MUMBAI-400051
- 3 THE CHAIRMAN
NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT, (NABARD), CENTRAL OFFICE, BANDRA KURLA
COMPLEX, BKC ROAD, BANDRA, MUMBAI-400051.
- 4 THE CHIEF GENERAL MANAGER
NABARD, KERALA REGIONAL OFFICE, PUNNEN ROAD,
THIRUVANANTHAPURAM-695 001.
- 5 THE CHIEF SECRETARY
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001

- 6 THE REGISTRAR OF CO-OPERTIVE SOCIETIES,
REGISTRAR OF CO-OPERATIVE SOCIETIES, D.P.I.
JUNCTION, THIRUVANANTHAPURAM-695 014
- 7 JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL)
COLLECTORATE, KOTTAYAM-686 002
- 8 THE PART TIME ADMINISTRATOR
DISTRICT CO-OPERATIVE BANK, T.B. ROAD, KOTTAYAM-686
001
- 9 THE DISTRICT CO-OPERATIVE BANK,
T.B. ROAD, KOTTAYAM-686 001, REPRESENTED BY THE
GENERAL MANAGER.

ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD

BY SRI.ATHUL SHAJI, SC, KOTTAYAM DISTRICT
CO.OPERATIVE BANK LTD.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-
11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE
COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.4052 OF 2019(F)

PETITIONER/S:

MANAGING COMMITTEE OF PALLIPPAD SERVICE CO-
OPERATIVE BANK LTD.NO.1744
REPRESENTED BY PRESIDENT, KOTTAKKAKAM, MUTTOM.P.O.,
HARIPPAD, ALAPPUZHA.

BY ADVS.
SRI.P.N.MOHANAN
SRI.C.P.SABARI
SMT.AMRUTHA SURESH

RESPONDENT/S:

- 1 GOVERNOR,
RESERVE BANK OF INDIA, CENTRAL OFFICE BUILDING 18TH
FLOOR, SHAHID BHAGATHSING ROAD, MUMBAI-400001.
- 2 CHIEF OPERATING OFFICER,
RESERVE BANK OF INDIA, BAKERY JCT RD., NANDAVANAM,
PALAYAM, THIRUVANANTHAPURAM, KERALA-695033.
- 3 NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT, (NABARD), REPRESENTED BY CHIEF GENERAL
MANAGER, PLOT C - 24, G BLOCK, BANDRA KURLA
COMPLEX, VKC ROAD, BANDRA EAST, MUMBAI,
MAHARASHTRA-400051.
- 4 GOVERNMENT OF KERALA,
REPRESENTED BY CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 5 SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 6 THE REGISTRAR OF CO-OPERATIVE
SOCIETIES, DEPARTMENT OF CO-OPERATION, OFFICE OF
THE REGISTRAR OF CO-OPERATIVE SOCIETIES, JAWAHAR
SAHAKARANA BHAVAN, DPI JUNCTION, THYCAUD.P.O.,
THIRUVANANTHAPURAM-14.

- 7 KERALA STATE CO-OPERATIVE BANK LTD.,
REPRESENTED BY MANAGING DIRECTOR, CO-BANK TOWERS,
THIRUVANANTHAPURAM-695001.
- 8 THE ALAPPUZHA DISTRICT CO-OPERATIVE BANK,
REPRESENTED BY GENERAL MANAGER, ALAPPUZHA-688001.
- 9 THE ADMINISTRATOR,
ALAPPUZHA DISTRICT CO-OPERATIVE BANK, ALAPPUZHA-
688001.
- 10 THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), ALAPPUZHA-688001.

ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD
SHRI P.C.SASIDHARAN, DCB ALAPPUZHA
R7 BY ADV. SRI.GILBERT GEORGE CORREYA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-
11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE
COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.4228 OF 2019(C)

PETITIONER/S:

MANAGING COMMITTEE OF PULLAD SERVICE CO-OPERATIVE
BANK LTD.NO.195,
REPRESENTED BY PRESIDENT, PULLAD, THIRUVALLA,
PATHANAMTHITTA.

BY ADV. SRI.P.N.MOHANAN

RESPONDENT/S:

- 1 GOVERNOR,
RESERVE BANK OF INDIA, CENTRAL OFFICE BUILDING 18TH
FLOOR, SHAHID BHAGATHSING ROAD, MUMBAI-400001.
- 2 CHIEF OPERATING OFFICER,
RESERVE BANK OF INDIA, BAKERY JCT RD, NANDAVANAM,
PALAYAM, THIRUVANANTHAPURAM, KERALA-695 033.
- 3 NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT,
(NABARD), REPRESENTED BY CHIEF GENERAL MANAGER,
PLOT C-24, G BLOCK, BANDRA KURLA COMPLEX, VKC ROAD,
BANDRA EAST, MUMBAI, MAHARASHTRA -400051.
- 4 GOVERNMENT OF KERALA,
REPRESENTED BY CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM -695 001.
- 5 SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM -695 001.
- 6 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
DEPARTMENT OF CO-OPERATION, OFFICE OF THE REGISTRAR
OF CO-OPERATIVE SOCIETIES, JAWAHAR SAHAKARANA
BHAVAN, DPI JUNCTION, THYCAUD P.O.,
THIRUVANANTHAPURAM -14.
- 7 KERALA STATE CO-OPERATIVE BANK LTD.,
REPRESENTED BY MANAGING DIRECTOR, CO-BANK TOWERS,
THIRUVANANTHAPURAM-695 001.

8 THE PATHANAMTHITTA DISTRICT CO-OPERATIVE BANK,
REPRESENTED BY GENERAL MANAGER, PATHANAMTHITTA-689
645.

9 THE ADMINISTRATOR (PART TIME)
PATHANAMTHITTA DISTRICT CO-OPERATIVE BANK,
PATHANAMTHITTA -689 645.

10 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL) ,
PATHANAMTHITTA -689 645.

ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD
SHRI GILBERT GEORGE CORREYA, KSCB

R8 BY ADV. SRI.T.P.PRADEEP, DCB PATHANAMTHITTA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-
11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE
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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.4229 OF 2019(C)

PETITIONER/S:

JOHN MATHAI
AGED 58 YEARS
S/O. MATHAI, PRESIDENT, THE POTHUKAL SERVICE CO-
OPERATIVE BANK LTD. N. M 255, BHOODAN COLONY P.O.,
MALAPPURAM DISTRICT -679 334.
RESIDING AT-
KOLAMALA HOUSE, NOTHIKULAM P.O., UPPADA P.O.,
MALAPPURAM DISTRICT -679 334.

BY ADVS.
SRI.GEORGE POONTHOTTAM (SR.)
SRI.ARUN CHANDRAN
SRI.RIJI RAJENDRAN
SMT.NISHA GEORGE
SRI.J.VISHNU
SRI.VISHNU B.KURUP

RESPONDENT/S:

- 1 RESERVE BANK OF INDIA
CENTRAL OFFICE BUILDING, 18TH FLOOR, SHAHID BHAGATH
SINGH MARG, FORT, MUMBAI-400001, REPRESENTED BY THE
GOVERNOR.
- 2 THE CHIEF GENERAL MANAGER,
DEPARTMENT OF CO-OPERATIVE BANK REGULATION, RESERVE
BANK OF INDIA, CENTRAL OFFICE, C-7, 1ST FLOOR,
BANDRA KURLA COMPLEX, BANDRA EAST, MUMBAI-400051.
- 3 THE CHAIRMAN,
NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT (NABARD), CENTRAL OFFICE, BANDRA KURLA
COMPLEX, BKC ROAD, BANDRA, MUMBAI-400051.
- 4 THE CHIEF GENERAL MANAGER,
NABARD, KERALA REGIONAL OFFICE, PUNNEN ROAD,
THIRUVANANTHAPURAM -695 001.
- 5 THE CHIEF SECRETARY,
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,

THIRUVANANTHAPURAM -695 001.

- 6 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
O/O. REGISTRAR OF CO-OPERATIVE SOCIETIES, D.P.I.
JUNCTION, THIRUVANANTHAPURAM -695 014.
- 7 JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL) ,
OFFICE OF THE JOINT REGISTRAR (GENERAL) OF CO-
OPERATIVE SOCIETIES, MALAPPURAM-676 001.
- 8 THE PART TIME ADMINISTRATOR,
MALAPPURAM DISTRICT CO-OPERATIVE BANK, LTD. NO.
4329, HEAD OFFICE, P.B. NO.8, MALAPPURAM -676 505.
- 9 THE MALAPPURAM DISTRICT CO-OPERATIVE BANK, LTD. NO.
4329,
HEAD OFFICE, P.B. NO.8, MALAPPURAM -676 505,
REPRESENTED BY THE GENERAL MANAGER.

ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD
SHRI I.V.PRAMOD, DCB, MALAPPURAM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-
11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE
COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.4240 OF 2019(D)

PETITIONER/S:

- 1 THE BOARD OF DIRECTORS OF THE KADANNAMANNA SERVICE CO-OPERATIVE BANK LTD. NO. 10561
MANKADA, MALAPPURAM DISTRICT, REPRESENTED BY ITS PRESIDENT.
- 2 THE BOARD OF DIRECTORS OF THE PULPATTA SERVICE CO-OPERATIVE BANK LTD.NO.1521,
PULAPATTA, MALAPPURAM DISTRICT, REPRESENTED BY ITS PRESIDENT.

BY ADV. SRI.D.SOMASUNDARAM

RESPONDENT/S:

- 1 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL)
MALAPPURAM-676505.
- 2 MALAPPURAM DISTRICT CO-OPERATIVE BANK LTD NO.4329,
MALAPPURAM, REPRESENTED BY ITS GENERAL MANAGER-
676505.

R1 BY GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.5650 OF 2019(E)

PETITIONER/S:

- 1 VALANCHERY SERVICE CO-OPERATIVE BANK LTD.,
NO.M-728, VALANCHERY.P.O, MALAPPURAM DISTRICT-
676552, REPRESENTED BY THE PRESIDENT OF MANAGING
COMMITTEE, ASHARAF AMBALATHINGAL, S/O.MOIDEEN
KUTTY, AGED 46, THOZHUVANOOR.P.O., VALACHERY,
MALAPPURAM DISTRICT-676552.
- 2 K.T.ABDUL RAZAK,
MEMBER, BOARD OF DIRECTOR,S ANDATHODE SERVICE CO-
OPERATIVE BANK LTD.NO.F 1249, ERAMANGALAM.P.O.,
MALAPPURAM DISTRICT-679587.

BY ADVS.

SRI.GEORGE POONTHOTTAM (SR.)

SRI.RIJI RAJENDRAN

SMT.NISHA GEORGE

SRI.J.VISHNU

SRI.VISHNU B.KURUP

RESPONDENT/S:

- 1 RESERVE BANK OF INDIA
CENTRAL OFFICE BUILDING,M 18TH FLOOR, SHAHID
BHAGATH SINGH MARG, FORT, MUMBAI-400001,
REPRESENTED BY THE GOVERNOR.
- 2 THE CHIEF GENERAL MANAGER
DEPARTMENT OF CO-OPERATIVE BANK REGULATION, RESERVE
BANK OF INDIA, CENTRAL OFFICE, C-7, 1ST FLOOR,
BANDRA KURLA COMPLEX, BANDRA EAST, MUMBAI-400051.
- 3 THE CHAIRMAN
NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT (NABARD), CENTRAL OFFICE, BANDRA KURLA
COMPLEX, BKC ROAD, BANDRA, MUMBAI-400041.
- 4 THE CHIEF GENERAL MANAGER
NABARD, KERALA REGIONAL OFFICE, PUNNEN ROAD,
THIRUVANANTHAPURAM-695001.

- 5 THE CHIEF SECRETARY,
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 6 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
O/O.REGISTRAR OF CO-OPERATIVE SOCIETIES, D.P.I.
JUNCTION, THIRUVANANTHAPURAM-695014.
- 7 JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL)
OFFICE OF THE JOINT REGISTRAR (GENERAL) OF CO-
OPERATIVE SOCIETIES, MALAPPURAM-676001.
- 8 THE PART TIME ADMINISTRATOR,
MALAPPURAM DISTRICT CO-OPERATIVE BANK LTD.NO.4329,
HEAD OFFICE, P.B.NO.8, MALAPPURAM-676505.
- 9 THE MALAPPURAM DISTRICT
CO-OPERATIVE BANK LTD.NO.4329, HEAD OFFICE,
P.B.NO.8, MALAPPURAM -676505. REPRESENTED BY THE
GENERAL MANAGER.

ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD
SHRI I.V.PRAMOD, DCB, MALAPPURAM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.5651 OF 2019(F)

PETITIONER/S:

CHALAKKUDY SERVICE CO-OPERATIVE BANK LTD.NO.R-192
CHALAKKUDY P.O., THRISSUR DISTRICT - 680 307,
REPRESENTED BY ITS PRESIDENT, O.S. CHANDRAN,
OLLEKKAT HOUSE, ANAMALA ROAD, CHALAKKUDY P.O.,
THRISSUR DISTRICT - 680 307.

BY ADVS.

SRI.GEORGE POONTHOTTAM (SR.)

SRI.ARUN CHANDRAN

SRI.RIJI RAJENDRAN

SMT.NISHA GEORGE

SRI.J.VISHNU

SRI.VISHNU B.KURUP

RESPONDENT/S:

- 1 RESERVE BANK OF INDIA
CENTRAL OFFICE BUILDING, 18TH FLOOR, SHAHID BHAGATH
SINGH MARG, FORT, MUMBAI - 400001, REPRESENTED BY
THE GOVERNOR.
- 2 THE CHIEF GENERAL MANAGER
DEPARTMENT OF CO-OPERATIVE BANK REGULATION, RESERVE
BANK OF INDIA, CENTRAL OFFICE, C-7, 1ST FLOOR,
BANDRA KURLA COMPLEX, BANDRA EAST, MUMBAI - 400051.
- 3 THE CHAIRMAN
NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT, (NABARD), CENTRAL OFFICE, BANDRA KURLA
COMPLEX, BKC ROAD, BANDRA, MUMBAI - 400051.
- 4 THE CHIEF GENERAL MANAGER
NABARD, KERALA REGIONAL OFFICE, PUNNEN ROAD,
THIRUVANANTHAPURAM - 695 001.
- 5 THE CHIEF SECRETARY
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 6 THE REGISTRAR OF CO-OPERATIVE SOCIETIES

O/O. REGISTRAR OF CO-OPERATIVE SOCIETIES, D.P.I.
JUNCTION, THIRUVANANTHAPURAM - 695 014.

7 JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL)
OFFICE OF THE JOINT REGISTRAR (GENERAL) OF CO-
OPERATIVE SOCIETIES, THRISSUR - 680 003.

8 THE PART TIME ADMINISTRATOR
THRISSUR DISTRICT CO-OPERATIVE BANK, HEAD OFFICE,
SAHAKARANA SHATABDI MANDIRAM, KOVILAKATHUPADOM,
THRISSUR - 680 002.

9 THE THRISSUR DISTRICT CO-OPERATIVE BANK
HEAD OFFICE, SAHAKARANA SHATABDI MANDIRAM,
KOVILAKATHUPADOM, THRISSUR - 680 002. REPRESENTED
BY THE GENERAL MANAGER.

ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD

SHRI P.C.SASIDHARAN, DCB, THRISSUR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-
11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE
COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.5793 OF 2019(Y)

PETITIONER/S:

MANAGING COMMITTEE OF MANJOOR SERVICE CO-OPERATIVE
BANK LTD NO.K-73
REPRESENTED BY ITS PRESIDENT,MANJOOR.P.O,
KOTTAYAM-686603.

BY ADVS.
SRI.P.N.MOHANAN
SRI.C.P.SABARI

RESPONDENT/S:

- 1 GOVERNOR, RESERVE BANK OF INDIA
CENTRAL OFFICE BUILDING 18TH FLOOR,
SHAHID BHAGATHSING ROAD,MUMBAI-400001.
- 2 CHIEF OPERATING OFFICER,
RESERVE BANK OF INDIA,BAKERY JUNCTION
ROAD,NANDAVANAM,
PALAYAM,THIRUVANANTHAPURAM,
KERALA-695033.
- 3 NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT,
(NABARD),REPRESENTED BY CHIEF GENERAL MANAGER,PLOT
C-24,G BLOCK,BANDRA KURLA COMPLEX,
VKC ROAD,BANDRA EAST,MUMBAI,
MAHARASHTRA-4400051.
- 4 DISTRICT DEVELOPMENT MANAGER,
NABARD FLAT NO.5 A-1 5TH FLOOR,
CENTRUTY TOWERS YWCA ROAD,
BAKERYJUNCTION,KOTTAYAM-686001,
KOTTAYAM,KERALA.
- 5 GOVERNMENT OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
SECRETARIAT,THIRUVANANTHAPURAM-695001.
- 6 SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT,

SECRETARIAT, THIRUVANANTHAPURAM-695001.

- 7 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
DEPARTMENT OF CO-OPERATION,
OFFICE OF THE REGISTRAR OF CO-OPERATIVE
SOCIETIES, JAWAHAR SAHAKARANA BHAVAN, DPI JUNCTION,
THYCAUD.P.O, THIRUVANANTHAPURAM-14.
- 8 THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL) ,
OFFICE OF THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES, CIVIL STATION, KOTTAYAM-686001.
- 9 KERALA STATE CO-OPERATIVE BANK LTD,
REPRESENTED BY MANAGING DIRECTOR, CO-BANK TOWERS,
THIRUVANANTHAPURAM-695001.
- 10 THE KOTTAYAM CO-OPERATIVE BANK LTD,
REPRESENTED BY GENERAL MANAGER,
KOTTAYAM-686001.
- 11 THE ADMINISTRATOR,
THE KOTTAYAM DISTRICT CO-OPERATIVE BANK
LTD, KOTTAYAM-686001.

ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD
SHRI GILBERT GEORGE CORREYA, KSCB
R10 BY SRI.ATHUL SHAJI, SC, KOTTAYAM DISTRICT
CO.OPERATIVE BANK LTD.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.5831 OF 2019(D)

PETITIONER/S:

THE MANAGING COMMITTEE OF PALLIPPAD NORTH SERVICE
CO-OPERATIVE SOCIETY LTD.1777,
REPRESENTED BY ITS PRESIDENT, PALLIPPAD-690512,
ALAPPUZHA DISTRICT.

BY ADVS.
SRI.P.N.MOHANAN
SRI.C.P.SABARI

RESPONDENT/S:

- 1 GOVERNOR, RESERVE BANK OF INDIA,
CENTRAL OFFICE BUILDING 18TH FLOOR, SHAHID
BHAGATHSING ROAD, MUMBAI-400001.
- 2 CHIEF OPERATING OFFICER,
RESERVE BANK OF INDIA, BAKERY JUNCTION ROAD,
NANDAVANAM, PALAYAM, THIRUVANANTHAPURAM, KERALA-
695033.
- 3 NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT,
(NABARD), REPRESENTED BY CHIEF GENERAL MANAGER,
PLOT C-24, G BLOCK, BANDRA KURLA COMPLEX, VKC ROAD,
BANDRA EAST, MUMBAI, MAHARASHTRA-400051.
- 4 DISTRICT DEVELOPMENT MANAGER,
VANNIAMPARAMBIL HOUSE, GUJARATHI STREET, ALAPPUZHA
BAZAR , ALAPPUZHA -688012.

THE ADDRESS OF FOURTH RESPONDENT CORRECTED AS.
DISTRICT DEVELOPMENT MANAGER NATIONAL BANK OF
AGRICULTURAL AND RURAL DEVELOPMENT (NABARD)
VANIAMPARAMBIL HOUSE, (RESIDENCE -CUM-OFFICE
GUYARATHI STREET, ALAPUZHA BAZAR,ALAPPUZHA -
688012.

CORRECTION CARRIED OUT AS PER ORDER DATED
27.02.2019 IN IA NO.1/2019.

- 5 GOVERNMENT OF KERALA,
REPRESENTED BY CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 6 SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 7 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
DEPARTMENT OF CO-OPERATION, OFFICE OF THE REGISTRAR
OF CO-OPERATIVE SOCIETIES, JAWAHAR SAHAKARANA
BHAVAN, DPI JUNCTION, THYCAUD P.O.,
THIRUVANANTHAPURAM-695014.
- 8 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL),
OFFICE OF THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES, ALAPPUZHA-688001.
- 9 KERALA STATE CO-OPERATIVE BANK LTD.,
REPRESENTED BY MANAGING DIRECTOR, CO-BANK TOWERS,
THIRUVANANTHAPURAM-695001.
- 10 THE ALAPPUZHA DISTRICT CO-OPERATIVE BANK,
REPRESENTED BY GENERAL MANAGER, ALAPPUZHA-688001.
- 11 THE ADMINISTRATOR,
ALAPPUZHA DISTRICT CO-OPERATIVE BANK, ALAPPUZHA-
688001.

ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD
SHRI GILBERT GEORGE CORREYA, KSCB
SRI.P.C.SASIDHARAN, DCB ALAPPUZHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-
11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE
COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.6241 OF 2019(E)

PETITIONER/S:

- 1 THE BOARD OF DIRECTORS OF THE KADANNAMANNA SERVICE CO-OPERATIVE BANK LTD.NO.10561,
MANKADA, MALAPPURAM DISTRICT, REPRESENTED BY ITS PRESIDENT.
- 2 THE BOARD OF DIRECTORS OF THE PULPATTA SERVICE CO-OPERATIVE BANK LTD NO. 1521,
PULPATTA, MALAPPURAM DISTRICT, REPRESENTED BY ITS PRESIDENT.

BY ADV. SRI.D.SOMASUNDARAM

RESPONDENT/S:

- 1 STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT, CO-OPERATION DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM 695 001.
- 2 REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM 695 001.
- 3 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL),
MALAPPURAM, MALAPPURAM DISTRICT/ PART TIME ADMINISTRATOR OF MALAPPURAM DISTRICT CO-OPERATIVE BANK 676 505.
- 4 MALAPPURAM DISTRICT CO-OPERATIVE BANK LTD NO. 4329,
MALAPPURAM, REPRESENTED BY ITS GENERAL MANAGER 676 505.
- 5 RESERVE BANK OF INDIA,
CENTRAL OFFICE BUILDING, 18TH FLOOR, SHAHID BHAGATH SINGH MARG,
FORT, MUMBAI 400 001, REPRESENTED BY THE GOVERNOR.
- 6 NATIONAL BANK FOR AGRICULTURAL AND RURAL DEVELOPMENT (NABARD)
CENTRAL OFFICE, BANDRA KURLA COMPLEX, BKC ROAD,

BANDRA MUMBAI 400 051.

7 DISTRICT CO-OPERATIVE BANK
 SOUGHT TO BE IMPEADED

R1-3 BY GOVERNMENT PLEADER
R5 BY ADV. SRI.MILLU DANDAPANI
R7 BY ADV. ATHUL SHAJI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.6308 OF 2019(K)

PETITIONER/S:

MANAGING COMMITTEE OF KEEZHALLUR SERVICE CO-
OPERATIVE BANK LTD. NO.F.1455,
CO-OPERATIVE BANK LTD. NO. F. 1455, REPRESENTED BY
ITS PRESIDENT, VAYANTHODE, MATTANNUR, KANNUR - 670
702

BY ADV. SRI.P.N.MOHANAN

RESPONDENT/S:

- 1 GOVERNOR, RESERVE BANK OF INDIA
CENTRAL OFFICE BUILDING 18TH FLOOR, SHAHID
BHAGATHSING ROAD, MUMBAI - 400 001.
- 2 CHIEF OPERATING OFFICER
RESERVE BANK OF INDIA, BAKERY JUNCTION ROAD,
NANDAVANAM, PALAYAM, THIRUVANANTHAPURAM, KERALA -
695 033
- 3 NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT
(NABARD), REPRESENTED BY CHIEF GENERAL MANAGER,
PLOT C - 24. G BLOCK, BANDRA KURLA COMPLEX, VKC
ROAD, BANDRA EAST, MUMBAI, MAHARASHTRA - 400 051
- 4 DISTRICT DEVELOPMENT MANAGER
NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT, (NABARD), HOUSE NO. 10/529, LAMINA
NO.5 PALLIKUNNU, KANNUR - 670 004.
- 5 GOVERNMENT OF KERALA
REPRESENTED BY CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 6 SECRETARY TO GOVERNMENT
CO-OPERATIVE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 7 THE REGISTRAR OF CO-OPERATIVE SOCIETIES
DEPARTMENT OF CO-OPERATION, OFFICE OF THE REGISTRAR

OF CO-OPERATIVE SOCIETIES, JAWAHAR SAHAKARANA
BHAVAN, DPI JUNCTION, THYCAUD P.O.,
THIRUVANANTHAPURAM - 695 014.

- 8 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL)
OFFICE OF THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES, CIVIL LINES, 3RD FLOOR, KANNUR - 670 002
- 9 KERALA STATE CO-OPERATIVE BANK LTD
REPRESENTED BY MANAGING DIRECTOR, CO-BANK TOWERS,
THIRUVANANTHAPURAM - 695 001
- 10 THE KANNUR DISTRICT CO-OPERATIVE BANK
REPRESENTED BY GENERAL MANAGER, KANNUR - 670 001
- 11 THE ADMINISTRATOR
KANNUR DISTRICT CO-OPERATIVE BANK, KANNUR - 670
001.

ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD
SHRI GILBERT GEORGE CORREYA, KSCB
SHRI M.SASINDRAN, DCB, KANNUR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-
11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE
COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.6409 OF 2019(A)

PETITIONER/S:

THE MANAGING COMMITTEE OF VELLIYAMATTOM SERVICE CO-
OPERATIVE BANK LTD NO.3958
REPRESENTED BY ITS PRESIDENT, PANNIMATTOM, IDUKKI.

BY ADV. SRI.P.N.MOHANAN

RESPONDENT/S:

- 1 GOVERNOR, RESERVE BANK OF INDIA,
CENTRAL OFFICE BUILDING 18TH FLOOR, SHAHID
BHAGATHSING ROAD, MUMBAI - 400 001.
- 2 CHIEF OPERATING OFFICER,
RESERVE BANK OF INDIA, BAKERY JUNCTION ROAD,
NANDAVANAM, PALAYAM, THIRUVANANTHAPURAM, KERALA -
695 033.
- 3 NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT,
(NABARD), REPRESENTED BY CHIEF GENERAL MANAGER,
PLOT C-24, G BLOCK, BANDRA KURLA COMPLEX, VKC ROAD,
BANDRA EAST, MUMBAI, MAHARASHTRA - 400 051.
- 4 DISTRICT DEVELOPMENT MANAGER,
NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT, (NABARD), SANTHALAYAM, TC NO.VII/1149,
NEAR THODUPUZHA URBAN COOPERATIVE BANK, THODUPUZHA
- 685 584, IDUKKI.
- 5 GOVERNMENT OF KERALA,
REPRESENTED BY CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 6 SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 7 THE REGISTRAR OF CO-OPERATIVE SOCIETIES
DEPARTMENT OF CO-OPERATION, OFFICE OF THE REGISTRAR
OF CO-OPERATIVE SOCIETIES, JAWAHAR SAHAKARANA

BHAVAN, DPI JUNCTION, THYCAUD P.O.,
THIRUVANANTHAPURAM - 695 014.

- 8 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL),
OFFICE OF THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES, PAINAVU P.O., IDUKKI, PIN - 685 603.
- 9 KERALA STATE CO-OPERATIVE BANK LTD.,
REPRESENTED BY MANAGING DIRECTOR, CO-BANK TOWERS,
THIRUVANANTHAPURAM - 695 001.
- 10 IDUKKI DISTRICT CO-OPERATIVE BANK LTD.,
REPRESENTED BY ITS GENERAL MANGER, P.B.NO.2, IDUKKI
COLONY P.O., CHERUTHONY, IDUKKI DISTRICT - 685 602.
- 11 THE ADMINISTRATOR,
IDUKKI DISTRICT CO-OPERATIVE BANK LTD., P.B.NO.2,
IDUKKI COLONY P.O., CHERTHONY, IDUKKI DISTRICT -
685 602.

ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD
SHRI GILBERT GEORGE CORREYA, KSCB
SHRI P.C.SASIDHARAN, DCB, IDUKKI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-
11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE
COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.6512 OF 2019(L)

PETITIONER/S:

THE MANAGING COMMITTEE OF ARANMULA SERVICE CO-
OPERATIVE BANK LTD.NO.703
REPRESENTED BY ITS PRESIDENT, ARANMULA P.O,
PATHANAMTHITTA-689533.

BY ADV. SRI.P.N.MOHANAN

RESPONDENT/S:

- 1 THE GOVERNOR
RESERVE BANK OF INDIA, CENTRAL OFFICE BUILDING 18TH
FLOOR, SHAHID BHAGATHSING ROAD, MUMBAI-400001,
- 2 CHIEF OPERATING OFFICER,
RESERVE BANK OF INDIA, BAKERY JUNCTION ROAD,
NANDAVANAM, PALAYAM, THIRUVANANTHAPURAM, KERALA-
695033.
- 3 NATIONAL BANK FOR AGRICULTURAL AND RURAL DEVELOPMETN
(NABARD) REPRESENTED BY CHIEF GENERAL MANAGER, PLOT
C-24, G BLOCK, BANDRA KURLA COMPLEX, VKC ROAD,
BANDRA EAST, MUMBAI, MAHARASHTRA-400051.
- 4 DISTRICT DEVELOPMENT MANAGER,
NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT, (NABARD), VANNIAMPARAMBILH OUSE,
GUJRATHI STREET, ALAPPUZHA BAZAR, ALAPPUZHA-688012.
- 5 GOVERNMENT OF KERALA,
REPRESENTED BY CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 6 SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 7 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
DEPARTMENT OF CO-OPERATION, OFFICE OF THE REGISTRAR
OF CO-OPERATIVE SOCIETIES, JAWAHAR SAHAKARANA
BHAWAN, DPI JUNCTION, THYCAUD P.O,

THIRUVANANTHAPURAM-695014.

- 8 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL)
OFFICE OF THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, PATHANAMTHITTA-689645.
- 9 KERALA STATE CO-OPERATIVE BANK LTD,
REPRESENTED BY MANAGING DIRECTOR, CO-BANK TOWERS,
THIRUVANANTHAPURAM-695001.
- 10 THE PATHANAMTHITTA DISTRICT CO-OPERATIVE BANK,
REPRESENTED BY GENERAL MANAGER, PATHANAMTHITTA-
689645.

ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD
SHRI GILBERT GEORGE CORREYA, KSCB
SRI.T.P.PRADEEP, DCB PATHANAMTHITA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.6730 OF 2019(M)

PETITIONER/S:

THE MANAGING COMMITTEE OF MANANTHAVADY FARMERS
SERVICE CO-OPERATIVE BANK LTD NO. F-4034,
REPRESENTED BY ITS PRESIDENT, MANANTHAVADY P.O.,
WAYANAD-670645.

BY ADV. SRI.P.N.MOHANAN

RESPONDENT/S:

- 1 GOVERNOR,
RESERVE BANK OF INDIA, CENTRAL OFFICE BUILDING,
18TH FLOOR, SHAHID BHAGATHSING ROAD, MUMBAI-400001.
- 2 CHIEF OPERATING OFFICER,
RESERVE BANK OF INDIA, BAKERY JUNCTION ROAD,
NANDAVANAM, PALAYAM, THIRUVANANTHAPURAM, KERALA-
695033.
- 3 NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT,
(NABARD), REPRESENTED BY CHIEF GENERAL MANAGER,
PLOT C-24, G BLOCK, BANDRA KURLA COMPLEX, VKC ROAD,
BANDRA EAST, MUMBAI, MAHARASHTRA-400051.
- 4 DISTRICT DEVELOPMENT MANAGER,
NABARD, HARITHA HOUSE, FIRST FLOOR, DOOR NO.KMC
VIII/406, KAIRALI NAGAR, KALPETTA-673121, WAYANAD
DISTRICT, KERALA.
- 5 GOVERNMENT OF KERALA,
REPRESENTED BY CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 6 SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 7 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
DEPARTMENT OF CO-OPERATION, OFFICE OF THE REGISTRAR
OF CO-OPERATIVE SOCIETIES, JAWAHAR SAHAKARANA

BHAVAN, DPI JUNCTION, THYCAUD P.O.,
THIRUVANANTHAPURAM-695014.

- 8 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL),
OFFICE OF THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES, WAYANAD-673121.
 - 9 KERALA STATE CO-OPERATIVE BANK LTD.,
REPRESENTED BY MANAGING DIRECTOR, CO-BANK TOWERS,
THIRUVANANTHAPURAM-695001.
 - 10 THE WAYANAD DISTRICT CO-OPERATIVE BANK,
REPRESENTED BY GENERAL MANAGER, WAYANAD-673122.
 - 11 THE ADMINISTRATOR (PART TIME),
WAYANAD DISTRICT CO-OPERATIVE BANK, WAYANAD-673122.
- ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD
SHRI GILBERT GEORGE CORREYA, KSCB
SRI.P.P.JACOB, DCB WAYANAD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.6736 OF 2019(N)

PETITIONER/S:

KADAVOOR SERVICE CO-OPERATIVE BANK LTD.NO.1882
HEAD OFFICE, KADAVOOR, KADAVOOR P.O., MUVATTUPUZHA-
686 671, ERNAKULAM DISTRICT, REPRESENTED BY ITS
PRESIDENT, A.J. JOHN, S/O JOSEPH, AGED 6 YEARS,
ADUKUZHAYIL HOUSE, KADAVOOR P.O., MUVATTUPUZHA, 686
671, ERNAKULAM DISTRICT.

BY ADVS.

SRI.GEORGE POONTHOTTAM (SR.)

SRI.ARUN CHANDRAN

SMT.NISHA GEORGE

RESPONDENT/S:

- 1 RESERVE BANK OF INDIA
CENTRAL OFFICE BUILDING, 18TH FLOOR, SHAHID BHAGATH
SINGH MARG, FORT, MUMBAI-400001, REPRESENTED BY THE
GOVERNOR.
- 2 THE CHIEF GENERAL MANAGER
DEPARTMENT OF CO-OPERATIVE BANK REGULATION, RESERVE
BANK OF INDIA, CENTRAL OFFICE, C-7, 1ST FLOOR,
BANDRA KURLA COMPLEX, BANDRA EAST, MUMBAI-400051.
- 3 THE CHAIRMAN
NATIONAL BANK FOR AGRICULTURAL AND RURAL
DEVELOPMENT, (NABARD), CENTRAL OFFICE, BANDRA KURLA
COMPLEX, BKC ROAD, BANDRA, MUMBAI-400051.
- 4 THE CHIEF GENERAL MANAGER
NABARD, KERALA REGIONAL OFFICE, PUNNEN ROAD,
THIRUVANANTHAPURAM-695 001.
- 5 THE CHIEF SECRETARY
GOVERNMENT OF KERALA, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.
- 6 THE REGISTRAR OF CO-OPERATIVE SOCIETIES
O/O. REGISTRAR OF CO-OPERATIVE SOCIETIES, D.P.I.
JUNCTION, THIRUVANANTHAPURAM-695 014.

- 7 JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL)
OFFICE OF THE JOINT REGISTRAR (GENERAL) OF CO-
OPERATIVE SOCIETIES, KAKKANAD, ERNAKULAM-682 030.
- 8 THE PART TIME ADMINISTRATOR
ERNAKULAM DISTRICT CO-OPERATIVE BANK, KAKKANAD,
KAKKANAD P.O., ERNAKULAM-682 030.
- 9 THE ERNAKULAM DISTRICT CO-OPERATIVE BANK
KAKKANAD, KAKKANAD P.O., ERNAKULAM-682 030
REPRESENTED BY THE GENERAL MANAGER.

ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD
SHRI N.REGHURAJ, DCB, ERNAKULAM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-
11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE
COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941

WP(C).No.9491 OF 2019(J)

PETITIONER/S:

E.O.THANKAPPAN,
AGED 75 YEARS
INCHARAKUNNIL HOUSE, CHERANELLOOR, ERNAKULAM.

BY ADV. SRI.T.P.GOPAKUMAR

RESPONDENT/S:

- 1 THE GOVERNOR,
RESERVE BANK OF INDIA, CENTRAL OFFICE BUILDING 18TH
FLOOR, SHAHID BHAGATHSING ROAD, MUMBAI-400001.
- 2 THE CHIEF OPERATING OFFICER,
RESERVE BANK OF INDIA, BAKERY JUNCTION ROAD,
NANDAVANAM, PALAYAM, THIRUVANANTHAPURAM, KERALA-
695033.
- 3 THE NATIONAL BANK OF AGRICULTURAL AND RURAL
DEVELOPMENT
(NABARD), REPRESENTED BY CHIEF GENERAL MANAGER,
PLOT C-24, G.BLOCK, BANDRA KURLA COMPLEX, VKC ROAD,
BANDRA EAST, MUMBAI, MAHARASHTRA-400051.
- 4 THE GOVERNMENT OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 5 THE SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM-695001.
- 6 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
DEPARTMENT OF CO-OPERATION, OFFICE OF THE REGISTRAR
OF CO-OPERATIVE SOCIETIES, JAWAHAR SAHAKARANA
BHAVAN, DPI JUNCTION, THYCAUD P.O,
THIRUVANANTHAPURAM-695014.
- 7 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (G)
OFFICE OF THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES, WAYANAD-673121.

- 8 THE KERALA STATE CO-OPERATIVE BANK LTD,
REPRESENTED BY GENERAL MANAGER,
WAYANAD-673122.
- 9 THE DISTRICT CO-OPERATIVE BANK,
ERNAKULAM, HEAD OFFICE, KAKKANAD, REPRESENTED BY
ITS GENERAL MANAGER.

ADDITIONAL ADVOCATE GENERAL, SHRI K.K.RAVINDRANATH
SHRI MILLU DANDAPANI FOR RBI
SHRI K.P.SUJESH KUMAR FOR NABARD
SHRI GILBERT GEORGE KORREYA, KSCB
SHRI N.REGHURAJ, DCB, ERNAKULAM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-11-2019, ALONG WITH WP(C).39749/2017 AND CONNECTED CASES, THE COURT ON 29-11-2019 DELIVERED THE FOLLOWING:

“C.R.”

WP (C) 39749/2017	WP (C) 6241/2019
WP (C) 3960/2019	WP (C) 6308/2019
WP (C) 4052/2019	WP (C) 6409/2019
WP (C) 4228/2019	WP (C) 6512/2019
WP (C) 4229/2019	WP (C) 6730/2019
WP (C) 4240/2019	WP (C) 6736/2019
WP (C) 5650/2019	WP (C) 9491/2019
WP (C) 5651/2019	WP (C) 5902/2018
WP (C) 5793/2019	WP (C) 19166/2019
WP (C) 5831/2019	WP (C) 28791/2019

Dated this the 29th day of November, 2019
J U D G M E N T

Lives are changed when people connect. Life is changed when everything is connected.
-- ¹[Qualcom motto]

In modern business model, success depends upon how one design or structure the business. The big shift in the business in a market economy is attributable to convergence, interdependency and technology. This era of acceleration is relatable to the afore-mentioned factors. The current model of business enterprise is deemed to be vulnerable if they

(1) An American telecom enterprise

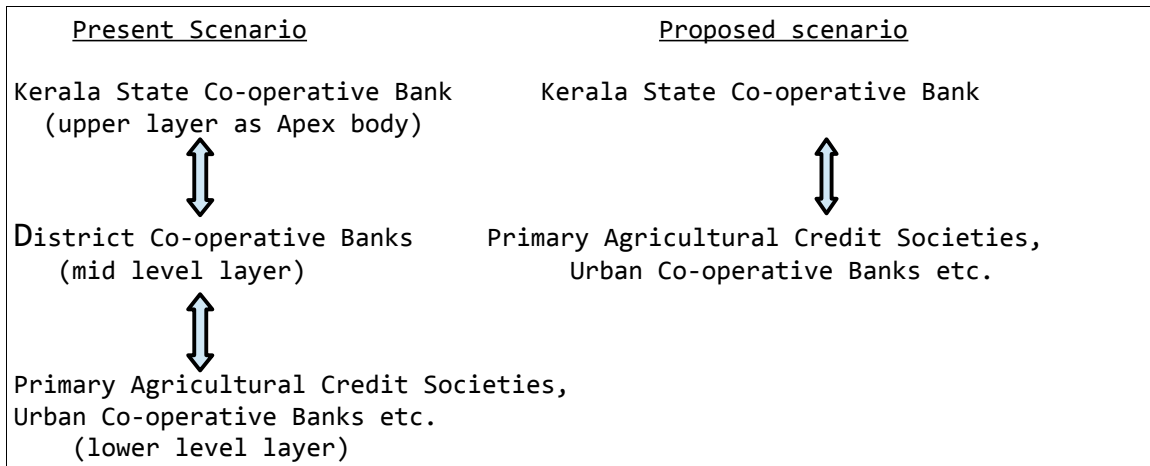
fail to translate the above mentioned key factors into reality or to put them into practice. A co-operative movement representing collective ownership in their economic pursuit is no exception for the application of factors as above. While it is necessary to assert autonomy of co-operative enterprises through decision making at basic unit level, its affiliation to the central authority cannot be ignored to meet the challenges faced by it. The edifice of co-operative enterprise is built on autonomy with subsidiarity and solidarity as its bulwarks to remain independent. But that in itself cannot be decisive enough so as to remain competitive in pursuit of market interest. In as far as the urge to remain competitive is concerned it is not the organisational structure alone that matters but it is the factors that determine the interest in the market. Therefore, challenges in this regard are multi-fold. The policy makers may face the risk of existential crises if co-operative enterprises remain non responsive to market demands. It is therefore necessary to be propulsive and to embrace nuances to remain competitive in a market economy. The balancing of co-operative principles and factors

reckoning market interest is a delicate task. Balancing interest as an object, the Government decided in principle to amalgamate the District Co-operative Banks with the Kerala State Co-operative Bank. The Government realised that such amalgamation of banks is necessary for the very existence of the Co-operative banks as well for the purpose of economic development and providing financial service to the people. The Government constituted an expert committee to obtain an expert view as per G.O.(Rt).No.488/2016/Co.op, dated 28.9.2016. Accordingly, Professor M.S.Sreeram, IIM Bangalore, was appointed as the Chairman of the said committee. The committee suggested layering of the three tier structure into two tier structure. The committee was of the view that the present three tier structure of the District Co-operative Banks at the middle level only adds to the costs and that they being intermediary, can be avoided to undertake a two tier structure with the Kerala State Co-operative Bank and Primary Co-operative Banks being its constituents. The Government, in order to realize this expert opinion, invoked legislative mandate and amended

statutory provisions for amalgamation. This resulted in filing these writ petitions.

2. The central issue that emerges in these writ petitions is how far the balancing exercise has been maintained through the legislation between the co-operative enterprise and the market interest, which is the ultimate cause for this amendment.

3. The present scenario of the co-operative banking sector as evident from Rule 15 of the Kerala Co-operative Societies Rules, 1969 (for short, the “K.C.S Rules”) and proposed scenario based on amendment are as follows:



Before the amendment, the State Co-operative Bank at Apex level having only District Co-operative Bank as its members. After the amendment, the State Co-operative Bank would be known as the Kerala State Co-operative Bank as an Apex Society having Primary Agricultural Credit Societies and Urban Co-operative Banks and other nominal or associate members of the District Co-operative Banks.

4. These writ petitions are filed by Primary Co-operative Banks, individual members of such co-operative banks or Societies and others challenging vires of amended statutory provisions and the process involved in amalgamation.

5. The State Legislature brought an amendment to achieve the objective of amalgamation of the District Co-operative Banks with the State Co-operative Bank. A new provision was incorporated as Section 14A under Chapter II and also a new Chapter XC of the Kerala State Co-operative Societies Act, 1969 (for short, the "K.C.S Act") for this purpose. Section 14A of the K.C.S Act speaks about transfer of assets and liabilities of the District Co-operative Banks to the Kerala State Co-operative Bank. Chapter XC refers to

special provisions for amalgamation through transfer of assets and liabilities of the District Co-operative Banks to the Kerala State Co-operative Bank. This provision of amalgamation is in the nature of merger which means that the assets and liabilities of District Co-operative Bank will merge with the State Co-operative Bank. I shall advert to in detail regarding the process of amalgamation in the later part of the judgment.

6. I have heard learned Senior Counsel Shri George Poonthottam, Adv. P.N.Mohannan, Adv. D.Somasundaram and other counsel on behalf of the petitioners. I have also heard learned Additional Advocate General Shri K.K.Ravindranath, learned Senior Counsel Shri T.A.Shaji, Adv.P.C.Sasidharan, Adv.M.Sasindran and learned Special Government Pleader Shri Mohammad Hashim on behalf of the respondents, who supported the process of amalgamation. I have also heard the learned Senior Counsel Smt.Sumathi Dandapani for RBI and Adv.Gilbert George Correya for the State Co-operative Bank. The arguments spread over for more than two weeks.

7. The arguments can be broadly categorised into three parts - first, applicability of relevant provisions in regard to the process so initiated; second, vires of amended provisions and; third, in regard to the process of amalgamation.

8. **Point (i).**- The application of relevant statutory provisions for amalgamation of the District Co-operative Banks with the State Co-operative Bank:-

8.(i). The State Legislature incorporated Section 14A by Act 1 of 2019. The relevant provision reads thus:

"14A. Provisions regarding transfer of assets and liabilities of District Co-operative Banks to the Kerala State Co-operative Bank.—(1) Notwithstanding anything contained in this Act or in any other law for the time being in force, the District Co-operative Banks may by a resolution passed by a simple majority of the members present and voting at the special general body meeting of the members, transfer its assets and liabilities in whole to the Kerala State Co-operative Bank and such transfer shall take effect from the date on which the Registrar approves the resolution.

(2) The resolution shall contain particulars of the assets and liabilities to be transferred.

8.(ii). A new Chapter XC was incorporated in the K.C.S Act. The purpose of the Chapter XC is to amalgamate the District Co-operative Banks through transfer of assets and liabilities based on the resolution passed invoking

Section 14A of the K.C.S Act. It is appropriate to refer the relevant provision of Chapter XC which reads thus:

74H. Amalgamation of District Co-operative Banks to the Kerala State Co-operative Bank.—(1) Notwithstanding anything contained in this Act or in any other law for the time being in force, the Registrar shall order the amalgamation of District Co-operative Banks in Kerala with the Kerala State Co-operative Bank on the basis of the resolution passed by the general body as provided under section 14A of this Act.

(2) With the prior approval of the Government the Registrar shall bring into effect the scheme of amalgamation, proposed by the Kerala State Co-operative Bank which is to be presented to the transferor banks.

(3) On and from the date of amalgamation, the shares held by the members of the transferor banks shall be deemed to be the shares of the transferee bank as such:

Provided that the value of shares shall be on the basis of face value of shares held by the members of the transferor banks.

(4) Notwithstanding anything contained in section 15 of this Act, on and from the date of amalgamation of the transferor banks and the transferee bank, the transferor banks shall cease to exist and its registration shall stand cancelled:

Provided that no new Registration Certificate is required for the transferee bank.

(5) The existing Board of Directors of transferor banks and transferee bank shall cease to exist on the date of amalgamation and the Government shall nominate an interim Board consisting of not more than three members for a period not exceeding one year from the date of amalgamation or till a newly elected Board of Directors takes charge, whichever is earlier.

8.(iii). This process is a two tier process, vis-à-vis, a voluntary resolution of the District Co-operative

Bank to transfer assets and liabilities to the Kerala State Co-operative Bank by a resolution passed by the simple majority of the persons present at the Special General Body. The second tier is a compulsory statutory amalgamation based on the resolution passed under Section 14A of the K.C.S Act which means that, once a resolution is passed to transfer assets and liabilities to the State Co-operative Bank, the Registrar is bound to order amalgamation of District State Co-operative Banks with Kerala State Co-operative Bank. He has no option but to order amalgamation once such a decision is taken by the District State Co-operative Banks concerned.

8(iv). Before incorporation of Sections 14A and 74H of the K.C.S Act, there were provisions relating to amalgamation of a society with other societies. This is contained in Section 14 of the K.C.S Act. The relevant provisions of Section 14 reads thus:

“14. Amalgamation, transfer of assets and liabilities and division of societies (1) A society may, with the previous approval of the Registrar and by a resolution passed by a two-thirds majority of the members present and voting at a general body meeting of the society,-

(a) transfer its assets and liabilities in whole or in part to any other society;

(b) divide itself into two or more societies

(2) Any two or more societies may, with the previous approval of the Registrar and by a resolution passed by a two-thirds majority of the members present and voting at a general body meeting of each such society, amalgamate themselves and form a new society.”

8.(v). The K.C.S Rules also laid down the procedure for amalgamation. It is relevant to refer to the relevant provisions of Rule 13 which reads as follows:

“13. Amalgamation, transfer of assets and liabilities or division of societies:

(1) Every co-operative society desiring to effect amalgamation, transfer of assets and liabilities or division shall convene a meeting of a special general body, called for the purpose, giving fifteen clear days notice and pass resolution, for amalgamation, transfer of assets and liabilities or division as the case may be, by a two third majority of the members present and voting at that meeting:

Provided that in the case of an insured co-operative bank, no resolution shall be passed without the prior approval in writing of the Reserve Bank of India and in the case of an assisted society, no resolution shall be passed without the prior approval of the Registrar. In the case of amalgamation or division, the resolution shall include the scheme and the draft bye-laws proposed for adoption, consequent

on the approval of the proposals. The draft bye-laws shall include provisions of appointment of the first committee by nomination.”

8.(vi). The combined reading of Section 14 of the K.C.S Act and Rule 13 of the K.C.S Rules as above clearly establish that this process of amalgamation is based on the act of parties and therefore, it has to be understood as a voluntary amalgamation.

8.(vii). The learned counsel for the petitioners pointing out to Section 14A of the K.C.S Act would argue that in the absence of reference for amalgamation under Section 14A, the process of amalgamation under Chapter XC will have to follow substantial statutory provisions under Section 14. Therefore, it was argued that there must be a resolution passed by two-third majority of the members present in the meeting convened for transfer of assets and liabilities. It is pointed out that of the 14 District Co-operative Banks in the State only 13 District Co-operative Banks have passed resolutions and that, out of such 13, 4 District Co-operative Banks have passed a resolution by simple majority. I need to examine the point in regard to the adherence to the process under Section 14 of the K.C.S

Act only if Section 14 would apply. In regard to the merit of the process, this Court can address the issue relating to the process at a later stage with reference to the same under Point (3).

8.(viii). Section 14A of the K.C.S Act is a special provision for transfer of assets and liabilities of the District Co-operative Banks to the Kerala State Co-operative Bank. There is no reference of 'amalgamation' under Section 14A. On the other hand, Chapter XC of the K.C.S Act laid out special provision for amalgamation through transfer of assets and liabilities. This clearly establishes a case of amalgamation through merger. When a statute prescribes a particular procedure for amalgamation through merger by way of special provisions, general provisions relating to merger will not apply unless special provisions incorporate general provisions by reference. It is to be noted that 74H under Chapter XC begins with a notwithstanding clause. It is also necessary to refer 74H(18) of the K.C.S Act. It reads as thus :

“Notwithstanding anything contained in this Act, the provisions of this chapter shall have overriding effect on all other provisions of the Act.”

8.(ix). This clearly points out that no other provision would apply in regard to amalgamation of the District Co-operative Banks other than Chapter XC of the K.C.S Act. Once a resolution is passed by the District Co-operative Bank to transfer assets and liabilities, the Registrar in such an event is bound to proceed for amalgamation in the manner indicated under Chapter XC. Rule 13 of the K.C.S Rules may not have any application as it sets out a different procedure of amalgamation based on the voluntary act of Co-operative Bank. *Non obstante* clause is a legislative device to give an overriding effect to certain provisions over some contrary provisions that may be found within the same enactment or some other enactment (See **State (NCT of Delhi) v. Sanjay [(2014) 9 SCC 772]**). There is a subtle distinction between voluntary process of amalgamation and statutory process of amalgamation. As noted above, Section 14 and Rule 13 are related to voluntary process of amalgamation and not related to statutory process of

compulsory amalgamation. It is also to be noted that Section 14 or Rule 13 does not speak about amalgamation through the process of transfer of assets and liabilities. The amalgamation referred to under Section 14 and Rule 13 is 'distinct and different' from transfer of assets and liabilities. Transfer of assets and liabilities is distinctly mentioned as different from the amalgamation in the afore statutory provisions itself. On the other hand, once resolution is passed under Section 14A for transfer of assets and liabilities, Chapter XC step in for compulsory amalgamation. This is a special provision, available only to the District Co-operative Banks. Therefore, I have to hold that, statutory amalgamation under Chapter XC alone would apply in the matter for amalgamating the District Co-operative Banks with the the Kerala State Co-operative Bank if such resolution is passed invoking Section 14A to transfer assets and liabilities. Thus, the argument that Section 14 of the K.C.S Act and Rule 13 of the K.C.S Rules would apply must fail.

9. **Point No.2.-** Challenging vires of amended provisions incorporated by the Act 1 of 2019:-

9.(i). As afore-noted, new provisions have been incorporated in the K.C.S Act to facilitate amalgamation of the District Co-operative Banks with the State Co-operative Bank. The learned counsel for the petitioners referred to the ninety-seventh amendment to the Constitution. The very purpose of the amendment to the Constitution according to the petitioner is to uphold co-operative principles and to negate outside interference including interference by the State. The learned counsel pointed out to Article 43B of the Constitution to buttress their argument that the State shall not interfere with the autonomous character of the co-operative societies. This argument, in fact, is raised in the context of compulsory statutory amalgamation as referred under Chapter XC of the amended provision. The learned counsel also referred to Schedule II to the K.C.S Act which refers to 'co-operative principles'. Section 2(eccc) inserted by K.C.S Act 8 of 2013 defines co-operative principles as referred under Schedule II. Some of the

co-operative principles are Voluntary & Open Membership, Democratic Member Control, Members' Economic Participation, Autonomy & Independence etc.

9.(ii). Placing reliance on the judgment of the Apex Court in **Vipulbhai M.Chaudhary v. Gujarat Cooperative Milk Marketing Federation Limited and Others [(2015) 8 SCC 1]**, it was argued by the learned counsel for the petitioners that democratic functioning is the essential feature of the co-operative society. Thus, it is contended that the amendment brought by the Act 1 of 2019, vis-à-vis, Section 2(ia), that the existing District Co-operative Banks would cease to exist is ultra vires to the Constitution.

9.(iii). The District Co-operative Banks, State Co-operative Bank and other Primary Co-operative Banks in the Society are registered as Co-operative Societies. They are classified under Rule 15 of the K.C.S Rules as different types after the registration of the Society based on the principal object provided in the bye-laws. The learned Additional Advocate General would argue that classification of the District Co-operative Bank was accorded by virtue of the statutory provisions and, therefore, there is no embargo

for the Legislature to de-classify the type of the Society. The learned Additional Advocate General also placed reliance on the judgment of the Division Bench of this Court in **Philip v. State of Kerala [2008 (2) KLT 555]**. That was a case arising from a challenge to the amendment to the K.C.S Act by excluding certain types of co-operative societies from voting rights in the District Co-operative Banks. The Division Bench observed that the wisdom of the Legislature should prevail and that representatives of the people are the best judges to say what is good for the people. Therefore, it was argued that, it is the law that recognizes the type of society, i.e., a District Co-operative Bank and the same law can also de-recognize such type of society.

9.(iv). Article 19(c) and 19(g) of the Constitution recognize rights of Citizen to form Associations and to practice any trade or business but that does not carry within itself a right to form a society to function as a District Co-operative Bank. One has to distinguish the fundamental right available and recognized under Article 19 from the nature of the activity that could be carried out by such citizen. No one has a fundamental right to carry on

any banking business except through the procedure prescribed under law. The District Co-operative Banks are creation of the statute and therefore, the statute can also take away its existence. Therefore, it is clear that the right accrued to the Society is based on legislative sanction and therefore that the same sanction can be taken away by the Legislature.

9.(v). The co-operative principles flowed out from the ninety-seventh amendment of the Constitution and recognized under the Directive Principles under Article 43-B of the Constitution certainly reinforce the right of an association to remain autonomous with democratic control. One of the characters of a co-operative society under the K.C.S Act is its affiliation to the Apex Society. This affiliation is provided under the Statute itself. This is based on the subsidiarity principles. Subsidiarity principles means to say that a central authority would perform only such tasks which cannot be performed at local level. These principles guarantee a degree of independence to a lower authority in relation to the higher authority. Therefore, the central authority will not interfere with the

decision making authority of a lower authority. The Central authority will have a limited role to perform such tasks that cannot be undertaken at the lowest level. That be so, it can be seen that the Kerala State Co-operative Bank at the apex level only performs such tasks which cannot be performed by the lower unit that is to say, Primary Agricultural Credit Societies and Urban Banks. It is important to note that the Primary Agricultural Credit Societies and Urban Banks have close proximity with the community. One of the main objectives of the Co-operative Principles as referred in the Schedule is concern for the community. Thus, by the amendment to the K.C.S Act, the lowest unit without intermediary of the District Co-operative Bank would have a direct access to the decision making process at apex level being a constituent of the apex body. The local community, therefore, would have direct participation in decision making process at apex level through their representative of primary co-operative societies and urban banks. Further, modern banking business is technology driven and competitive. The lowest constituent unit of a hierarchical rung cannot by itself

afford competition and bear the cost of technology at the same time. At apex level, the State Co-operative Bank can provide practical solutions to the problems that may be encountered by the lowest units. The principle of subsidiarity functions as a tool for the practical allocation of tasks in such circumstances. And by avoiding the District Co-operative Banks at the intermediary level, the objectives can be achieved at reduced cost, thereby, increasing economic efficiency. Thus, the amendments go on to show that they have been made upholding the co-operative principles in the light of the spirit of the ninety-seventh amendment of the Constitution.

9(vi). The learned counsel pointed out to the question of compulsory amalgamation without there being a democratic decision at District Co-operative Bank level. This argument is based on the ground that a resolution passed under Section 14A of the K.C.S Act is only for transfer of assets and liabilities and not for amalgamation. Therefore, it is argued that compulsory amalgamation as referable under Section 74H of Chapter XC of the K.C.S Act is against the autonomous character of co-operative society

of the District Co-operative Bank. This argument is misconceived. Chapter XC of the K.C.S Act refers to the scheme of amalgamation proposed by the Kerala State Co-operative Bank. This has to be presented to the District Co-operative Bank. The scheme of amalgamation has been placed before the District Co-operative Bank. District Co-operative Bank while passing a resolution for transfer of assets and liabilities in whole to the Kerala State Co-operative Bank is expected to be aware of the consequence that would follow in terms of Chapter XC. There is no compulsion under law for a District Co-operative Bank to adopt a resolution to transfer its assets and liabilities. That is the reason why one of the District Co-operative Banks, the Malappuram District Co-operative Bank opted not to transfer its assets and liabilities to the Kerala State Co-operative Bank. That be so, it can be easily concluded that compulsory amalgamation as referred under Chapter XC is based on voluntary initiation of transfer of assets and liabilities by the District Co-operative Bank to the Kerala State Co-operative Bank. The decision is purely a decision of the District Co-operative Bank. When the assets and

liabilities have been decided to be transferred, the Registrar has no option but to merge the entity with the Kerala State Co-operative Bank. This does not affect the autonomous character of a society formed as District Co-operative Bank. Therefore, this argument must also fail.

10. Point (3). - Violation of process of amalgamation:-.

10.(i). The petitioner had pointed out the alleged violations involved in the process of amalgamation. I shall deal each violations, one by one.

10(ii). The learned counsel Shri P.N.Mohannan pointing out to Section 44A of the Banking Regulation Act, 1949 argued that without there being a resolution passed by a majority representing two-third of shares of value, a banking company cannot amalgamate with other banking company. It is to be noted that the District Co-operative Banks as well as the Kerala State Co-operative Bank are banking companies that possess banking licences from the Reserve Bank of India to carry banking activities. In W.P. (C).No.3960/2019, the Reserve Bank of India had filed a counter affidavit. It is stated in the counter affidavit

that Section 44A of Banking Regulation Act, 1949 is not applicable to co-operative banks. It is to be noted that Section 56 of the Banking Regulation Act omits Part III therein, except Sections 45(1),(2) & (3). Section 44A is forming part of Part III. Therefore, Section 44A of the Banking Regulation Act has no application in the matter of amalgamation of the Co-operative Society.

10.(iii). In regard to Violation of Section 14 of the K.C.S Act and Rule 13 of the K.C.S Rules, the learned counsel for the petitioners argued that the permission granted by the Reserve Bank of India in-principle was an approval for amalgamation of the District Co-operative Banks and not for merger of the District Co-operative Banks with the Kerala State Co-operative Bank. Therefore, amalgamation can only happen in accordance with Section 14 of the K.C.S. Act and Rule 13 of the K.C.S. Rules. While dealing in point No.1, this Court had already found that Section 14 and Rule 13 have no application.

10.(iv). Regarding competency of an Administrator in proposing the scheme of amalgamation:-

The Kerala State Co-operative Bank as well as the District Co-operative Banks are under the control of the Administrator as there is no elected managing committee in office. Therefore it is argued that, without there being a resolution in the general body meeting of the Kerala State Co-operative Bank, no scheme can be proposed by the KSCB to amalgamate with the District Co-operative Banks as contemplated under Section 74H of Chapter XC of the K.C.S Act. It was argued that the Administrator is appointed under Section 33 of the K.C.S Act only to carry out day-to-day affairs and that it is impossible for him to take vital policy decisions such as amalgamation. The learned counsel for the petitioners by referring to Rule 44A of the K.C.S.Rules submitted that if the affairs of the Society are managed by the Administrator, the Administrator only has a power to nominate any member of the society as a delegate in the other society. Therefore, it was argued that without there being such delegation in a Special General Body of the State Co-operative Bank, no scheme of amalgamation can be proposed. The learned counsel for the petitioners, placing reliance on **Devasia Chacko v. Joint Registrar [1990 (2) KLT**

917], **Gangadharan v. Administrator** [1988 (1) KLT 624], **Thrissur District Co-operative Bank v. State of Kerala** [2003 (2) KLT 606] and **Rajan N. v. State of Kerala and Others** [ILR 2016 (2) Kerala 870], also submitted that the Administrator cannot take any policy decision in regard to amalgamation without there being a Special General Body convened for the same and further argued that, in view of the fact that the proposal itself is bad in law, all that follow should collapse. To buttress this argument learned counsel Shri P.N.Mohannan placed reliance on the judgment of the Apex Court in **Chairman-cum-Managing Director, Coal India Limited and others v. Ananta Saha and others** [(2011) 5 SCC 142]. The question arises whether a Special General Body of the State Co-operative Bank is necessary or not for the purpose of proposing the scheme of amalgamation of the District Co-operative Bank. Section 74H(2) of Chapter XC of the K.C.S Act states that the Registrar shall bring into effect the scheme of amalgamation as proposed by the Kerala State Co-operative Bank which is presented to the transferor banks with the prior approval of the Government. It is to be noted that Chapter XC of the K.C.S. Act relating to

compulsory amalgamation based on resolution of the District Co-operative Banks, itself provides for scheme of amalgamation. The Administrator of the State Co-operative Bank is only forwarding the scheme as in Chapter XC of the K.C.S. Act to the transferor banks, i.e, the District Co-operative Banks, for their decision to accept it or not. It is also to be noted that the District Co-operative Banks are the only members of the State Co-operative Bank. Therefore, the Administrator of the Kerala State Co-operative Bank himself has no role in the decision making process of the amalgamation. The scheme proposed by him is not his own device but a statutory scheme. The acceptance of the scheme is left to the discretion of the transferor bank. The transferor bank has the option to either accept or reject it. The precedents relied upon by the petitioner only interdict the Administrator from taking a policy decision. It does not interdict an Administrator from acting upon the statutory provisions. What is done by the Administrator is only forwarding the proposal as referable under Chapter XC of the K.C.S. Act to the transferor banks.

That be so, the Administrator is well within his competence to forward the proposal to the transferor banks.

10.(v). The petitioners would contend that no District Co-operative Bank had passed any resolution for amalgamation and therefore, that the proposed amalgamation is illegal. It is to be noted that the scheme of amalgamation proposed by the State Co-operative Bank was placed before the District Co-operative Bank in its Special General Body. As mentioned in the foregoing paragraphs, the District Co-operative Bank is put under a statutory notice in regard to amalgamation as referable under Section 74H consequent upon passing of resolution for transfer of assets and liabilities. Thus, the passing of resolution for transfer of assets and liabilities itself constitutes an acceptance of amalgamation. It is to be noted that the scheme of amalgamation as proposed by the Kerala State Co-operative Bank is forwarded to the District Co-operative Banks through the Registrar. It is in the Special General Body meeting of the District Co-operative Bank, that the decision is taken to transfer the assets and liabilities. The decision therefore, is not taken by the Administrator or

Administrative Committee. Thus, it is clear that Administrator of the District Co-operative Banks or the Kerala State Co-operative Bank have no role in themselves in deciding the amalgamation. Further, out of 14 District Co-operative Banks, 13 District Co-operative Banks have opted to pass the resolution and therefore, there is no scope for taking any other decision for amalgamation by convening a Special General Body of the State Co-operative Bank.

10.(vi). The learned counsel Shri P.N.Mohannan appearing for the petitioners by referring to Section 74H(1) which stipulates that,- “notwithstanding anything contained in this Act or in any other law for the time being in force, the Registrar shall order the amalgamation of District Co-operative Banks in Kerala with the Kerala State Co-operative Bank on the basis of the resolution passed by the general body as provided under Section 14A of this Act”, argued that amalgamation is possible only in respect of all banks in Kerala and that no amalgamation is possible without all of them having passed a resolution under Section 14A of the K.C.S Act. This argument is essentially with reference

to “amalgamation of District Co-operative Banks in Kerala with the Kerala State Co-operative Bank” as referred to in Section 74H(1). The word 'Kerala' denoted is with reference to location of such bank. Even in the absence of such reference, the legislative mandate assumes that it can only be confined to the geographical location in Kerala. There is no stipulation that all District Banks in Kerala should pass resolution. It only denotes the District Banks in Kerala. Resultantly, it is to mean that at least majority of the District Co-operative Banks have to have agreed for the proposal of the Kerala State Co-operative Bank. It is also to be noted that even if a resolution is passed under Section 14A, scheme of amalgamation can be given effect only based on the prior approval of the Government. The Government therefore, has a say in the matter. The argument that all the District Co-operative Banks in Kerala passed a resolution is misconceived.

10(vii). The learned Senior Counsel George Poonthottam appearing for the petitioners, pointed out to the in-principle approval granted by RBI in its communication addressed to the Chief Secretary of Kerala dated 3.10.18

stipulated that certain conditions are to be complied with before consideration of final approval. The Government was directed to complete the process by 31/3/2019. It is stated in the communication that the State Co-operative Bank may approach the RBI through NABARD for final approval. One of the conditions for grant of in-principle approval is as follows:

“A resolution passed by two-third majority of the members present and voting at a General Body meeting of the St.CB and each DCCBs shall be a pre-requisite for amalgamation for St.CB and each DCCBs”.

Thus, it is argued that without complying with these procedures, amalgamation proceedings cannot be proceeded further. The Government can very well explain to RBI its compliance of conditions as above. It is for the RBI to be satisfied with the conditions stipulated as above. Since final approval is yet to be granted by RBI, it is for RBI alone to decide whether the conditions have to be satisfied or not. It is open for RBI to accept the present procedure adopted so far by the Registrar and District Co-operative Banks or to insist for convening a meeting as above. This Court need not substitute the satisfaction to be entered or

arrived at by the RBI at this stage. Therefore, I leave open the issue.

10.(viii). The next objection is voicing the grievance of the Primary Co-operative Society, a share holder of the District Co-operative Bank. It was argued that the Primary Agricultural Credit Societies and Urban Banks alone have membership in the District Co-operative Banks with voting rights. The learned Senior Counsel Shri George Poonthottam pointed out with details that a large number of Primary Societies have been left out in the process of amalgamation by precluding them from raising grievances against such amalgamation. Therefore, it was argued that the process vitiate democratic nature of the co-operative society if it is proceeded without hearing all shareholders. This argument though appearing to be attractive, does not hold good for the simple reason that none of the primary co-operative societies have been affected by the process of amalgamation. What is being changed is their affiliation. Instead of they being affiliated with the intermediary District Co-operative Banks, they are now directly affiliated to the Kerala State

Co-operative Bank. It is more advantageous to them. There was a challenge against taking away of their voting right before this Court. This Court in W.A.No.594/2018 negatived their challenge. No autonomous character of Primary Co-operative Socieity is affected by amalagamtion of the District Co-operative Banks with the Kerala State Co-operative Bank. Right to vote in an Apex Society is a statutory creation. If law does not recognize such right, the Court cannot create such right. Thus, this argument must also fail.

10.(xi). The learned Senior Counsel Shri George Poonthottam referred to a communication of the General Manager of NABARD. The communication was issued in response to the proposal of the Government for merger of the District Co-operative Banks with the Kerala State Co-operative Bank. The learned counsel pointed out two of the conditions which reads thus:

“ii. The StCB has to evolve a suitable mechanism/exit-route to retire/refund the share to Societies desirous of exiting, within a specified time bound period. The retirement of shares has to be done at book value and not at face value.

iii. The swap ratio for shares in the amalgamated Bank should be based on real net worth of DCCBs. The realizable value of unit of share of each DCCB as on the date of merger needs to be assessed by taking into account all internal liabilities, reserves, undistributed profits, etc. A transfer price for each unit share in the StCB may be arrived at accordingly.”

The learned counsel then referred to proviso to Section 74H(3) of the K.C.S Act which stipulates that, “provided that the value of shares shall be on the basis of face value of shares held by the members of the transferor bank” and argued that there is repugnancy of condition with regard to the scheme of amalgamation under Section 74H. This Court need not enter into any finding in regard to the issue at this stage. The Administrators are the best authorities to take a decision as to the manner in which the amalgamation process should be completed. Any person who is finally aggrieved by the final approval can very well challenge such final approval. Therefore, I leave open this issue.

10.(x). The challenge is also made on the ground that the Kerala State Co-operative Bank is a scheduled bank and that it cannot amalgamate with a non scheduled bank. It is further argued that NABARD is the major stake holder and

creditor as far as the District Co-operative Bank is concerned. Thus, it is argued that no scheme of amalgamation can be implemented by invoking provisions under the K.C.S Act to amalgamate with a scheduled bank listed under the RBI as the scheduled bank is regulated by the Central Legislation. The banking activity is regulated by Section 22 of the Banking Regulation Act, 1949. It is for the RBI to decide in what manner final approval can be given. No challenge would be maintainable before final approval is granted by the RBI unless there is glaring procedure of violation.

As an upshot of discussions as above, all these writ petitions must fail. There is no scope for interference with the process initiated to amalgamate the District Co-operative Banks with the Kerala State Co-operative Bank. Accordingly the writ petitions are dismissed. No order as to costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

ms

APPENDIX OF WP(C) 39749/2017

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	PHOTO COPY OF THE ANSWER GIVEN BY THE HON'BLE MINISTER FOR CO-OPERATION IN THE 1ST MEETING OF THE 14TH LEGISLATIVE ASSEMBLY TO THE QUESTION PUT FORTH BY SRI.K.D.PRASANMAN.
EXHIBIT P2	PHOTO COPY OF G.O. (RT) NO.488/2016/CO-OP. DATED 28.9.2016 ISSUED BY 1ST RESPONDENT ALONG WITH THE TERMS OF REFERENCE.
EXHIBIT P3	PHOTO COPY OF THE NOTIFICATION DATED 15.3.2014 ISSUED BY PUBLIC SERVICE COMMISSION.
EXHIBIT P4	PHOTO COPY OF THE RANK LIST OF CLERK/CASHIER (PART II SOCIETY QUOTA) PUBLISHED BY PUBLIC SERVICE COMMISSION.
EXHIBIT P4 (A)	PHOTO COPY OF THE RANK LIST OF CLERK/CASHIER (ERNAKULAM) PUBLISHED BY PUBLIC SERVICE COMMISSION.
EXHIBIT P5	PHOTO COPY OF THE LETTER DATED 9.6.2017 OF PRESIDENT MALAPPURAM DISTRICT, PANCHAYAT.
EXHIBIT P5 (A)	PHOTO COPY OF THE LETTER DATED 7.9.2016 OF 2ND RESPONDENT ISSUED TO GENERAL MANAGER OF ALL DISTRICT CO-OPERATIVE BANKS.
EXHIBIT P6	PHOTO COPY OF THE GO (MS) NO.18/2017/CO-OP. DATED 2.6.2017 ISSUED BY 1ST RESPONDENT.
EXHIBIT P7	PHOTO COPY OF THE GO (RT) NO.22/2017/CO-OP. DATED 30.6.2017 ISSUED BY 1ST RESPONDENT.
EXHIBIT P8	PHOTO COPY OF THE LETTER DATED 29.11.2017 ISSUED BY RESERVE BANK OF INDIA.
EXHIBIT P8 (A)	PHOTO COPY OF THE RESERVE BANK OF INDIA (AMALGAMATION OF PRIVATE SECTOR BANKS) DIRECTIONS, 2016.
EXHIBIT P9	PHOTO COPY OF THE ORDINANCE NO.4/2017 PROMULGATED BY GOVERNOR OF KERALA DATED 10.4.2017.
EXHIBIT P10	PHOTO COPY OF THE REPLY DATED 5.6.2017 GIVEN BY RESERVE BANK OF INDIA TO 4TH PETITIONER.

EXHIBIT P11	PHOTO COPY OF THE REPRESENTATION SUBMITTED BY 6TH PETITIONER TO 3RD RESPONDENT.
EXHIBIT P12	PHOTO COPY OF THE APPLICATION SUBMITTED BY AJITHKUMAR DATED 27.10.2017 TO THE STATE PUBLIC INFORMATION OFFICER & DEPUTY SECRETARY CO-OPERATION.
EXHIBIT P13	PHOTO COPY OF THE REPLY GIVEN TO AJITHKUMAR BY THE STATE PUBLIC INFORMATION OFFICER & DEPUTY SECRETARY CO-OPERATION.
EXHIBIT P14	PHOTO COPY OF THE REPRESENTATION DATED 17.11.2017 SUBMITTED BY DISTRICT CO-OP. BANK ALL KERALA PSC RANK HOLDERS ASSOCIATION BEFORE THE 3RD RESPONDENT.

RESPONDENT'S/S EXHIBITS:

EXHIBIT R1 A	TRUE EXTRACTS OF THOSE PARAGRAPHS OF THE SPEECHES, NAMELY PARAGRAPH 134 OF THE SPEECH OF 24TH JUNE 2016
EXHIBIT R1 B	TRUE EXTRACTS OF PARAGRAPHS 79 OF THE SPEECH OF 25TH JANUARY 2019
EXHIBIT R1 C	A TRUE COPY OF THE SAID LETTER NO-DCBR.CO.RCB. NO.3946/19.51/007/2017-18 DATED 25.4.2018
EXHIBIT R1 D	A TRUE COPY OF THE LETTER NO-CO.OP.B2/541/2018 DATED 8-6-2018
EXHIBIT R1 E	A TRUE COPY OF THE COMMUNICATION DCBR/CO/RCBD. NO 1007/19.51.007/2018-19 DATED OCTOBER 03, 2018
EXHIBIT R1 F	A TRUE COPY OF THE SAID GOVERNMENT ORDER, G.O. (RT)NO, 728/2018/CO-OP DATED 31.12.2018
EXHIBIT R1 G	A TRUE COPY OF THE G.O. (RT)NO-119/2019/CO-OP DATED 12.2.2019
EXHIBIT R1 H	RELEVANT PORTION OF THE BUDGET SPEECH I.E, PARAGRAPH 93 THEREOF, MADE ON 31 ST JANUARY 2019,
EXHIBIT R1 I	A TRUE EXTRACT OF THE SAID ASSEMBLY PROCEEDINGS DATED 29.1.2019

APPENDIX OF WP (C) 5902/2018

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	TRUE COPY OF THE G.O(RT.)NO.488/2016/CO-OP DATED 28.09.2016.
EXHIBIT P2	TRUE COPY OF THE REPORT OF THE COMMITTEE HEADED BY PROF. M.S.SREERAM, AS AVAILABLE FROM THE WEBSITE.
EXHIBIT P3	TRUE COPY OF THE NOTIFICATION NO. RBI/2015- 16/229 DATED 05.11.2015 WITH ENCLOSURES ISSUED BY THE RESERVE BANK OF INDIA.
EXHIBIT P4	TRUE COPY OF THE LETTER DATED 31.08.2017 ADDRESSED BY THE THEN CHIEF SECRETARY OF KERALA TO THE CHAIRMAN, NABARD WITH ENCLOSURES.
EXHIBIT P5	TRUE COPY OF THE REPRESENTATION DATED 10.11.2017 GIVEN TO THE GOVERNOR, RESERVE BANK OF INDIA.
EXHIBIT P6	TRUE COPY OF THE COMMUNICATION/REPLY DATED 11.01.2018 GIVEN BY THE GOVERNOR TO SRI.N.K.PREMACHANDRAN, MEMBER OF PARLIAMENT.
EXHIBIT P7	TRUE COPY OF THE REPRESENTATION DATED 16.02.2018 SUBMITTED BEFORE THE HON'BLE FINANCE MINISTER OF INDIA.
EXHIBIT P8	TRUE COPY OF THE REPRESENTATION/APPEAL DATED 12.12.2017 SUBMITTED BEFORE THE CHIEF GENERAL MANAGERS.

APPENDIX OF WP(C) 19166/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	TRUE COPY OF THE NOTICE OF THE SPECIAL GENERAL BODY MEETING DATED 2.7.2019.
EXHIBIT P1 A	TRUE COPY OF THE SCHEME OF AMALGAMATION OF THE DISTRICT CO-OPERATIVE BANKS TO THE KERALA STATE CO-OPERATIVE BANKS, 2019.
EXHIBIT P2	TRUE COPY OF THE COMMUNICATION DCBR.CO.RCBD NO.1007/19.51.007/2018-19 DATED 3.10.2018 ISSUED BY THE RBI.
EXHIBIT P3	TRUE COPY OF THE COMMUNICATION GIVEN BY NABARD DATED 26.12.2018 TO THE CHIEF SECRETARY OF THE STATE OF KERALA.
EXHIBIT P4	TRUE COPY OF THE INTERIM ORDER DATED 15.2.2019 IN WPC.NO.4055 OF 2019 PASSED BY THIS HON'BLE COURT.
EXHIBIT P5	TRUE COPY OF THE GENERAL BODY NOTICE DATED 18.2.2019 WITH THE AUDIT CERTIFICATE AND THE BALANCE SHEET AS ON 31.3.2018.
EXHIBIT P6	TRUE COPY OF THE SCHEME OF AMALGAMATION OF THE DISTRICT CO-OPERATIVE BANKS.
EXHIBIT P7	TRUE COPY OF THE COMMUNICATION DATED 13.2.2019 ISSUED BY NABARD TO THE CHIEF SECRETARY OF THE STATE.
EXHIBIT P8	TRUE COPY OF THE INTERIM ORDER DATED 5.3.2019 IN WPC.NO.3960 OF 2019 PASSED BY THIS HON'BLE COURT.

APPENDIX OF WP(C) 28791/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	TRUE COPY OF THE G.O. (RT) NO.488/2016/CO-OP DATED 28/09/2016.
EXHIBIT P2	TRUE COPY OF THE COMMUNICATION DCBR.CO.BCBD NO.1007/19.51.007/2018-19 DATED 03/10/2018 ISSUED BY THE RBI.
EXHIBIT P3	TRUE COPY OF THE COMMUNICATION GIVEN BY NABARD DATED 26/12/2018 TO THE CHIEF SECRETARY OF THE STATE OF KERALA.
EXHIBIT P4	TRUE COPY OF THE COMMUNICATION BEARING LETTER NO.CO-OP0-B2/633/20176/CO-OP DATED 31/08/2017 ISSUED BY THE CHIEF SECRETARY.
EXHIBIT P5	TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2019 (ACT 1 OF 2019) .
EXHIBIT P6	TRUE COPY OF THE SCHEME OF AMALGAMATION OF THE DISTRICT CO-OPERATIVE BANKS TO THE KERALA STATE CO-OPERATIVE BANKS, 2019.
EXHIBIT P7	TRUE COPY OF THE COMMUNICATION DATED 13/02/2019 ISSUED BY NABARD TO THE CHIEF SECRETARY OF THE STATE.
EXHIBIT P8	TRUE COPY OF THE G.O. (MS) NO.9/2019/CO-OP DATED 15/02/2019.
EXHIBIT P9	TRUE COPY OF THE ORDER ISSUED BY THE RESERVE BANK OF INDIA DATED 07/10/2019.
EXHIBIT P10	TRUE COPY OF THE STATEMENT FILED IN W.P (C) NO.4229 OF 2019 BEFORE THIS HON'BLE COURT.
EXHIBIT P11	TRUE COPY OF THE CONDITION FOR GRANT OF 'IN PRINCIPLE' APPROVAL FOR AMALGAMATION OF DCBS CHHATTISGARSH WITH COVERING LETTER DATED 03/10/2018.
EXHIBIT P12	TRUE COPY OF THE COMMUNICATION ISSUED BY THE CHIEF GENERAL MANAGER.
EXHIBIT P13	TRUE COPY OF THE LIST OF INSURANCE SOCIETIES IN KERALA.

APPENDIX OF WP (C) 3960/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	TRUE COPY OF THE G.O (RT) NO. 488/2016/CO-OP DATED 28.09.2016
EXHIBIT P2	TRUE COPY OF THE COMMUNICATION NO. RBI/2015-16/229 DATED 05.11.2015 ISSUED BY THE RESERVE BANK OF INDIA.
EXHIBIT P3	TRUE COPY OF THE LETTER NO. CO-OP B2/633/2017/CO-OP DATED 31.08.2017 ISSUED BY THE CHIEF SECRETARY OF THE STATE.
EXHIBIT P4	TRUE COPY OF THE LETTER REF. NO. CAD/KCB/8168/2017-18 DATED 28.12.2017 ISSUED BY THE MANAGING DIRECTOR OF KERALA STATE CO-OPERATIVE BANK WITH ENCLOSED PROPOSAL.
EXHIBIT P5	TRUE COPY OF THE COMMUNICATION DCBR. CO. RCBD NO. 1008/19.51.007/2018-19 DATED 03.10.2018 ISSUED BY THE RBI.
EXHIBIT P6	TRUE COPY OF THE COMMUNICATION GIVEN BY NABARD DATED 26.12.2018 TO THE CHIEF SECRETARY OF THE STATE OF KERALA
EXHIBIT P7	TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ORDINANCE, 2019
EXHIBIT P8	TRUE COPY OF THE NOTICE DATED 29.01.2019 ISSUED BY THE GENERAL MANAGER, KOTTAYAM DISTRICT, CO-OPERATIVE BANK.

Exhibit-P9. True copy of the Scheme of Amalgamation of the District Co-operative Banks to the Kerala State Co-operative Banks, 2019 with covering letter issued by the Registrar of Co-operative Societies dated 14.02.2019.

Exhibit-P10. True copy of the communication issued by the Chief General Manager of NABARD dated 13.02.2019.

Exhibit R1(a) :- True extracts of those Paragraphs of the speeches, namely, Paragraph 134 of the speech of 24th June 2016.

Exhibit R1(b) :- True extracts of Paragraph 79 of the speech of 25th of January, 2019.

Exhibit R1(c):- A true copy of the said letter NO: DCBR.CO.RCB.No.3946/19.51/007/2017-18 dated 25.04.2018

Exhibit R1(d):- A true copy of the Letter No.Co-op.B2/541/2018 dated 08.6.2018.

Exhibit R1(e):- A true copy of the communication, DCBR.CO.RCBD. No.1007/19.51.007/2018-19 dated October 03, 2018.

Exhibit R1(f):- A true copy of the said Government Order, G.O (Rt.) No. 728/2018/Co-Op dated 31.12.2018.

Exhibit R1(g):- A true copy of the G.O (Rt.) No. 119/2019/Co-op dated 12.02.2019.

Exhibit R1(h) :- Relevant portion of the Budget Speech i.e, Paragraph 93 thereof, made on 31st January 2019.

Exhibit R1(i) :- A true extract of the said Assembly proceedings dated 29.01.2019.

APPENDIX OF WP (C) 4052/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	A TRUE COPY OF THE ORDER DATED 28.9.2016 OF THE GOVERNMENT OF KERALA.
EXHIBIT P2	A TRUE COPY OF THE ORDER DATED 2.6.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P3	A TRUE COPY OF THE ORDER DATED 30.6.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P4	A TRUE COPY OF THE ORDINANCE NO.7 OF 2019.
EXHIBIT P5	A TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES AMENDMENT BILL, 2019.
EXHIBIT P6	A TRUE COPY OF THE DIRECTIONS ISSUED BY THE RESERVE BANK OF INDIA DATED 21.4.2016.
EXHIBIT P7	A TRUE COPY OF THE NOTICE DATED 29.1.2019 FOR GENERAL BODY MEETING.
EXHIBIT P8	A TRUE COPY OF THE ORDER DATED 3.10.2018 OF THE RESERVE BANK OF INDIA.
EXHIBIT P9	A TRUE COPY OF THE ORDER DATED 26.12.2018 OF THE NABARD.
EXHIBIT P1	A TRUE COPY OF THE ORDER DATED 28.9.2016 OF THE GOVERNMENT OF KERALA.
EXHIBIT P2	A TRUE COPY OF THE ORDER DATED 2.6.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P3	A TRUE COPY OF THE ORDER DATED 30.6.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P4	A TRUE COPY OF THE ORDINANCE NO.7 OF 2019.
EXHIBIT P5	A TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES AMENDMENT BILL, 2019.
EXHIBIT P6	A TRUE COPY OF THE DIRECTIONS ISSUED BY THE RESERVE BANK OF INDIA DATED 21.4.2016.
EXHIBIT P7	A TRUE COPY OF THE NOTICE DATED 29.1.2019 FOR GENERAL BODY MEETING.
EXHIBIT P8	A TRUE COPY OF THE ORDER DATED 3.10.2018 OF THE RESERVE BANK OF INDIA.
EXHIBIT P9	A TRUE COPY OF THE ORDER DATED 26.12.2018

OF THE NABARD

APPENDIX OF WP (C) 4228/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	A TRUE COPY OF THE ORDER DATED 28.09.2016 OF THE GOVERNMENT OF KERALA.
EXHIBIT P2	A TRUE COPY OF THE ORDER DATED 02.06.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P3	A TRUE COPY OF THE ORDER DATED 30.6.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P4	A TRUE COPY OF THE ORDINANCE NO. 7 OF 2019.
EXHIBIT P5	A TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES AMENDMENT BILL, 2019.
EXHIBIT P6	A TRUE COPY OF THE DIRECTIONS ISSUED BY THE RESERVE BANK OF INDIA DATED 21.04.2016.
EXHIBIT P7	A TRUE COPY OF THE NOTICE DATED 29.01.2019 FOR GENERAL BODY MEETING.
EXHIBIT P8	A TRUE COPY OF THE ORDER DATED 03.10.2018 OF THE RESERVE BANK OF INDIA.
EXHIBIT P9	A TRUE COPY OF THE ORDER DATED 26.12.2018 OF THE NABARD.

APPENDIX OF WP (C) 4229/2019

PETITIONER'S/S EXHIBITS:

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|------------|--|
| EXHIBIT P1 | TRUE COPY OF THE G.O. (RT) NO. 488/2016/CO-OP. DATED 28.09.2016. |
| EXHIBIT P2 | TRUE COPY OF THE COMMUNICATION DCBR.CO.RCBD NO. 1007/19.51.007/2018-19 DATED 03.10.2018 ISSUED BY THE RBI. |
| EXHIBIT P3 | TRUE COPY OF THE COMMUNICATION GIVEN BY NABARD DATED 26.12.2018 TO THE CHIEF SECRETARY OF THE STATE OF KERALA. |
| EXHIBIT P4 | TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ORDINANCE, 2019. |
| EXHIBIT P5 | TRUE COPY OF THE NOTICE DATED 30.01.2019 ISSUED BY THE GENERAL MANAGER, MALAPPURAM DISTRICT CO-OPERATIVE BANK. |

APPENDIX OF WP (C) 4240/2019

PETITIONER'S/S EXHIBITS:

- EXHIBIT P1 TRUE COPY OF NOTICE DATED 30/1/2019 FOR
CONVENING A SPECIAL GENERAL BODY MEETING ON
16/2/2019 AT 11 A.M AT THE HEAD OFFICE
AUDITORIUM OF THE BANK ISSUED BY THE
GENERAL MANAGER OF THE BANK.
- EXHIBIT P2 TRUE COPY OF THE REPRESENTATION DATED
08.02.2019 BY THE PETITIONER BEFORE THE
FIRST RESPONDENT.

APPENDIX OF WP(C) 5650/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	TRUE COPY OF THE G.O. (RT) NO.488/2016/CO-OP DATED 28/09/2016.
EXHIBIT P2	TRUE COPY OF THE COMMUNICATION DCBR.CO.RCBD NO.1007/19.51.007/2018 -19 DATED 03/10/2018 ISSUED BY THE RBI.
EXHIBIT P3	TRUE COPY OF THE COMMUNICATION GIVEN BY NABARD DATED 26.12.2018 TO THE CHIEF SECRETARY OF THE STATE OF KERALA.
EXHIBIT P4	TRUE COPY OF THE COMMUNICATION BEARING LETTER NO.CO-OP-B2/633/2017/CO-OP DATED 31/08/2017 ISSUED BY THE CHIEF SECRETARY.
EXHIBIT P5	TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2019. (ACT 1 OF 2019) .
EXHIBIT P6	TRUE COPY OF THE INTERIM ORDER DATED 15/02/2019 IN WP(C) NO.4055/2019 PASSED BY THIS HON'BLE COURT.
EXHIBIT P7	TRUE COPY OF THE GENERAL BODY NOTICE DATED 18/02/2019 WITH THE AUDIT CERTIFICATE AND THE BALANCE SHEET AS ON 31/03/2018.
EXHIBIT P8	TRUE COPY OF THE SCHEME OF AMALGAMATION OF THE DISTRICT CO-OPERATIVE BANKS TO THE KERALA STATE CO-OPERATIVE BANKS, 2019.
EXHIBIT P9	TRUE COPY OF THE FORMAT ISSUED BY THE REGISTRAR OF CO-OPERATIVE SOCIETIES AND FORWARDED TO ALL DISTRICT CO-OPERATIVE BANKS.
EXHIBIT P10	TRUE COPY OF THE COMMUNICATION DATED 13/02/2019 ISSUED BY THE NABARD TO THE CHIEF SECRETARY OF THE STATE.
EXHIBIT P11	TRUE COPY OF THE G.O. (MS) NO.9/2019/CO-OP DATED 15/02/2019.

APPENDIX OF WP(C) 5651/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	TRUE COPY OF THE G.O. (RT) NO.488/2016/CO-OP DATED 28.09.2016.
EXHIBIT P2	TRUE COPY OF THE COMMUNICATION DCBR.CO.RCBD NO.1007/19.51.007/2018-19 DATED 03.10.2018 ISSUED BY THE RBI.
EXHIBIT P3	TRUE COPY OF THE COMMUNICATION GIVEN BY NABARD DATED 26.12.2018 TO THE CHIEF SECRETARY OF THE STATE OF KERALA.
EXHIBIT P4	TRUE COPY OF THE COMMUNICATION BEARING LETTER NO.CO-OP-B2/633/2017/CO-OP DATED 31.08.2017 ISSUED BY THE CHIEF SECRETARY.
EXHIBIT P5	TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2019. (ACT 1 OF 2019) .
EXHIBIT P6	TRUE COPY OF THE INTERIM ORDER DATED 15.02.2019 IN W.P.(C).NO.4055 OF 2019 PASSED BY THIS HON'BLE COURT.
EXHIBIT P7	TRUE COPY OF THE GENERAL BODY NOTICE DATED 18.02.2019 WITH THE AUDIT CERTIFICATE AND THE BALANCE SHEET AS ON 31.03.2018.
EXHIBIT P8	TRUE COPY OF THE SCHEME OF AMALGAMATION OF THE DISTRICT CO-OPERATIVE BANKS TO THE KERALA STATE CO-OPERATIVE BANKS, 2019.
EXHIBIT P9	TRUE COPY OF THE FORMAT ISSUED BY THE REGISTRAR OF CO-OPERATIVE SOCIETIES AND FORWARDED TO ALL DISTRICT CO-OPERATIVE BANKS.
EXHIBIT P10	TRUE COPY OF THE COMMUNICATION DATED 13.02.2019 ISSUED BY NABARD TO THE CHIEF SECRETARY OF THE STATE.
EXHIBIT P11	TRUE COPY OF THE G.O. (MS) NO.9/2019/CO-OP DATED 15.02.2019.

APPENDIX OF WP (C) 5793/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	JUDGMENT OF SUPREME COURT REPORTED IN 2000(2)KLT 480.
EXHIBIT P2	A TRUE COPY OF THE ORDER DATED 28.09.2016 OF THE GOVERNMENT OF KERALA.
EXHIBIT P3	A TRUE COPY OF THE ORDER DATED 02.06.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P4	A TRUE COPY OF THE ORDER DATED 30.06.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P5	A TRUE COPY OF THE ACT OF 1/2019
EXHIBIT P6	A TRUE COPY OF THE DIRECTIONS ISSUED BY THE RESERVE BANK OF INDIA DATED 21.04.2016.
EXHIBIT P7	A TRUE COPY OF THE NOTICE DATED 18.02.2019 OF THE SPECIAL GENERAL BODY MEETING OF KOTTAYAM DISTRICT CO-OP.BANK.
EXHIBIT P8	A TRUE COPY OF THE INTERIM ORDER DATED 15.02.2019 IN W.P. (c)NO.4052/2019.
EXHIBIT P9	A TRUE COPY OF THE ORDER DATED 03.10.2018 OF THE RESERVE BANK OF INDIA.
EXHIBIT P10	A TRUE COPY OF THE ORDER DATED 26.12.2018 OF THE NABARD.
EXHIBIT P11	A TRUE COPY OF THE ORDER DATED 7/10/2019 OF THE RESERVE BANK OF INDIA.

APPENDIX OF WP (C) 5831/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	JUDGMENT OF SUPREME COURT REPORTED IN 2000(2)KLT 480.
EXHIBIT P2	A TRUE COPY OF THE ORDER DATED 28.09.2016 OF THE GOVERNMENT OF KERALA.
EXHIBIT P3	A TRUE COPY OF THE ORDER DATED 02.06.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P4	A TRUE COPY OF THE ORDER DATED 30.06.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P5	A TRUE COPY OF THE ACT OF 1/2019.
EXHIBIT P6	A TRUE COPY OF THE DIRECTIONS ISSUED BY THE RESERVE BANK OF INDIA DATED 21.01.2016.
EXHIBIT P7	A TRUE COPY OF THE NOTICE DATED 18.02.2019 OF THE SPECIAL GENERAL BODY MEETING OF ALAPPUZHA DISTRICT CO-OP. BANK.
EXHIBIT P8	A TRUE COPY OF THE INTERIM ORDER DATED 15.02.2019 IN W.P. (C) NO.4052/2019.
EXHIBIT P9	A TRUE COPY OF THE ORDER DATED 03.10.2018 OF THE RESERVE BANK OF INDIA.
EXHIBIT P10	A TRUE COPY OF THE ORDER DATED 26.12.2018 OF THE NABARD.

APPENDIX OF WP (C) 6241/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	TRUE COPY OF THE ACT BY NOTIFICATION NO. 801/LEG. H2/2019/;LAW DATED 14-2-2019.
EXHIBIT P2	TRUE COPY OF THE BALANCE SHEET OF THE DISTRICT CO-OPERATIVE BANK, MALAPPURAM AS ON 31-3-2018.
EXHIBIT P3	TRUE COPY OF THE NOTICE ISSUED BY 4TH RESPONDENT TO CONVENE THE GENERAL BODY MEETING ON 7-3-2019 AT 11.A.M AT THE BANK'S HEAD OFFICE AUDITORIUM.

APPENDIX OF WP (C) 6308/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	JUDGMENT OF SUPREME COURT REPORTED IN 2000 (2) KLT 480
EXHIBIT P2	A TRUE COPY OF THE ORDER DATED 28.09.2016 OF THE GOVERNMENT OF KERALA.
EXHIBIT P3	A TRUE COPY OF THE ORDER DATED 02.06.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P4	A TRUE COPY OF THE ORDER DATED 30.06.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P5	A TRUE COPY OF THE ACT 1/2019
EXHIBIT P6	A TRUE COPY OF THE DIRECTIONS ISSUED BY THE RESERVE BANK OF INDIA DATED 21.04.2016
EXHIBIT P7	A TRUE COPY OF THE NOTICE DATED 17.02.2019 OF THE SPECIAL GENERAL BODY MEETING OF KANNUR DCB.
EXHIBIT P8	A TRUE COPY OF THE INTERIM ORDER DATED 15.02.2019 IN W.P. (C) .NO.4052/2019
EXHIBIT P9	A TRUE COPY OF THE ORDER DATED 03.10.2018 OF THE RESERVE BANK OF INDIA.
EXHIBIT P10	A TRUE COPY OF THE ORDER DATED 26.12.2018 OF THE NABARD.

APPENDIX OF WP (C) 6409/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	JUDGMENT OF SUPREME COURT REPORTED IN 2000 (2) KLT 480.
EXHIBIT P2	A TRUE COPY OF THE ORDER DATED 28/09/2016 OF THE GOVERNMENT OF KERALA.
EXHIBIT P3	A TRUE COPY OF THE ORDER DATED 02/06/2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P4	A TRUE COPY OF THE ORDER DATED 30/06/2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P5	A TRUE COPY OF THE ACT OF 1/2019.
EXHIBIT P6	A TRUE COPY OF THE DIRECTIONS ISSUED BY THE RESERVE BANK OF INDIA DATED 21/04/2016.
EXHIBIT P7	A TRUE COPY OF THE NOTICE DATED 18/02/2019 OF THE SPECIAL GENERAL BODY MEETING OF IDUKKI DCB.
EXHIBIT P8	A TRUE COPY OF THE INTERIM ORDER DATED 15/02/2019 IN W.P. (C) NO.4052/2019.
EXHIBIT P9	A TRUE COPY OF THE ORDER DATED 03/10/2018 OF THE RESERVE BANK OF INDIA.
EXHIBIT P10	A TRUE COPY OF THE ORDER DATED 26/12/2018 OF THE NABARD.

APPENDIX OF WP (C) 6512/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	JUDGMENT OF SUPREME COURT REPORTED IN 2000(2) KLT 480
EXHIBIT P2	A TRUE COPY OF THE ORDER DATED 28.09.2016 OF THE GOVERNMENT OF KERALA,
EXHIBIT P3	A TRUE COPY OF THE ORDER DATED 02.06.2017 OF THE GOVERNMENT OF KERALA,
EXHIBIT P4	A TRUE COPY OF THE ORDER DATED 30.06.2017 OF THE GOVERNMENT OF KERALA,
EXHIBIT P5	A TRUE COPY OF THE ACT OF 1/2019.
EXHIBIT P6	A TRUE COPY OF THE DIRECTIONS ISSUED BY THE RESERVE BANK OF INDIA DATED 21.04.2016.
EXHIBIT P7	A TRUE COPY OF THE NOTICE DATED 18.02.2019 OF THE SPECIAL GENERAL BODY MEETING OF TENTH RESPONDENT.
EXHIBIT P8	A TRUE COPY OF THE INTERIM ORDER DATED 15.02.2019IN WPC. NO.4052/2019.
EXHIBIT P9	A TRUE COPY OF THE ORDER DATED 03.10.2018 OF THE RESERVE BANK OF INDIA,
EXHIBIT P10	A TRUE COPY OF THE ORDER DATED 26.12.2018 OF THE NABARD.

APPENDIX OF WP (C) 6730/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	JUDGMENT OF SUPREME COURT REPORTED IN 2000 (2) KLT 480.
EXHIBIT P2	A TRUE COPY OF THE ORDER DATED 28.09.2016 OF THE GOVERNMENT OF KERALA.
EXHIBIT P3	A TRUE COPY OF THE ORDER DATED 02.06.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P4	A TRUE COPY OF THE ORDER DATED 30.06.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P5	A TRUE COPY OF THE ACT OF 1/2019.
EXHIBIT P6	A TRUE COPY OF THE DIRECTIONS ISSUED BY THE RESERVE BANK OF INDIA DATED 21.04.2016.
EXHIBIT P7	A TRUE COPY OF THE NOTICE DATED 18.02.2019 OF THE SPECIAL GENERAL BODY MEETING OF 10TH RESPONDENT DCB.
EXHIBIT P8	A TRUE COPY OF THE INTERIM ORDER DATED 15.02.2019 IN W.P. (C) NO.4052/2019.
EXHIBIT P9	A TRUE COPY OF THE ORDER DATED 03.10.2018 OF THE RESERVE BANK OF INDIA.
EXHIBIT P10	A TRUE COPY OF THE ORDER DATED 26.12.2018 OF THE NABARD.

APPENDIX OF WP(C) 6736/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	TRUE COPY OF THE G.O. (RT) NO.488/2016/CO-OP DATED 28.9.2016.
EXHIBIT P2	TRUE COPY OF THE COMMUNICATION DCBR.CO.RCBD NO.1007/19.51.007/2018-19 DATED 3.10.2018 ISSUED BY THE RBI.
EXHIBIT P3	TRUE COPY OF THE COMMUNICATION GIVEN BY NABARD DATED 26.12.2018 TO THE CHIEF SECRETARY OF THE STATE OF KERALA.
EXHIBIT P4	TRUE COPY OF THE COMMUNICATION BEARING LETTER NO.CO-OP-B2/633/2017/CO-OP DATED 31.8.2017 ISSUED BY THE CHIEF SECRETARY.
EXHIBIT P5	TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2019 (ACT 1 OF 2019) .
EXHIBIT P6	TRUE COPY OF THE GENERAL BODY NOTICE DATED 18.2.2019 WITH THE AUDIT CERTIFICATE AND THE BALANCE SHEET AS ON 31.3.2018.
EXHIBIT P7	TRUE COPY OF THE SCHEME OF AMALGAMATION OF THE DISTRICT CO-OPERATIVE BANKS TO THE KERALA STATE CO-OPERATIVE BANKS, 2019.
EXHIBIT P8	TRUE COPY OF THE FORMAT ISSUED BY THE REGISTRAR OF CO-OPERATIVE SOCIETIES AND FORWARDED TO ALL DISTRICT CO-OPERATIVE BANKS.
EXHIBIT P9	TRUE COPY OF THE COMMUNICATION DATED 13.2.2019 ISSUED BY NABARD TO THE CHIEF SECRETARY OF THE STATE.
EXHIBIT P10	TRUE COPY OF THE G.O. (MS) NO.9/2019/CO-OP DATED 15.2.2019.

APPENDIX OF WP (C) 9491/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	TRUE PHOTOCOPY OF THE ORDER DATED 28.9.2016 OF THE GOVERNMENT OF KERALA.
EXHIBIT P2	TRUE PHOTOCOPY OF THE ORDER DATED 2.6.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P3	TRUE PHOTOCOPY OF THE ORDER DATED 30.06.2017 OF THE GOVERNMENT OF KERALA.
EXHIBIT P4	TRUE PHOTOCOPY OF THE ACT 1/2019.
EXHIBIT P5	TRUE PHOTOCOPY OF THE DIRECTION ISSUED BY THE RESERVE BANK OF INDIA DATED 21.4.2016.
EXHIBIT P6	TRUE PHOTOCOPY OF THE INTERIM ORDER DATED 15.2.2019 IN WPC NO.4052/2019.
EXHIBIT P7	TRUE PHOTOCOPY OF THE RELEVANT PORTION OF THE NOTICE DATED 18.2.2019.
EXHIBIT P8	TRUE PHOTOCOPY OF THE ORDER DATED 30.10.2018 OF THE RESERVE BANK OF INDIA.
EXHIBIT P9	TRUE PHOTOCOPY OF THE ORDER DATED 26.12.2018 OF THE NABARD.