



2024:KER:80385

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024 / 8TH KARTHIKA, 1946

WP(C) NO. 21368 OF 2024

PETITIONERS:

- 1 BABU K. KORAH,
AGED 64 YEARS,
S/O. KORAH CHACKO, PRESIDENT,
VIJAYAPURAM SERVICE CO-OPERATIVE BANK LTD. NO. 4066,
MANARCAD, KOTTAYAM DISTRICT-686019,
RESIDING AT KUTTIPPARAMBU, MANARCAD,
KOTTAYAM, PIN - 685019
- 2 SURESH KUMAR T.S.,
AGED 57 YEARS,
S/O. SHARNGADHARAN, MEMBER,
VIJAYAPURAM SERVICE CO-OPERATIVE BANK LTD. NO. 4066,
MANARCAD, KOTTAYAM DISTRICT-686019, RESIDING AT
THANNICKAL HOUSE, MANARCAD P.O.,
KOTTAYAM DISTRICT, PIN - 686019

BY ADVS.
NISHA GEORGE
GEORGE POONTHOTTAM (SR.)
A.L.NAVANEETH KRISHNAN
KAVYA VARMA M. M.
ANSHIN K.K
FATHIMA AMREEN JAMAL

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 2 :

- 2 THE RETURNING OFFICER/
UNIT INSPECTOR ETTUMANOOR,
THE VIJAYAPURAM SERVICE CO-OPERATIVE BANK
LTD. NO. 4066, MANARCAD,
KOTTAYAM DISTRICT, PIN - 686019

- 3 THE STATE CO-OPERATIVE ELECTION COMMISSION,
3RD FLOOR, CO BANK TOWERS,
VIKAS BHAVAN P.O., THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY, PIN - 695033

BY ADVS.

SRI.C.M.NAZAR, SC

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.K.GOPALAKRISHNA KURUP, ADVOCATE GENERAL

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY
HEARAD ON 14.08.2024, ALONG WITH WP(C).21464/2024,
21531/2024 AND CONNECTED CASES, THE COURT ON 30.10.2024
DELIVERED THE FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 3 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 21464 OF 2024

PETITIONERS:

- 1 A.V. THOMAS,
AGED 71 YEARS,
S/O. VARKEY,
PRESIDENT,
KUMARAKOM SERVICE CO-OPERATIVE BANK
LTD. NO. 2298, KUMARAKOM P.O.,
KOTTAYAM DISTRICT,
RESIDING AT ARYAPPALLY HOUSE,
KUMARAKOM P.O.,
KOTTAYAM DISTRICT, PIN - 686563

- 2 V.N. RAMACHANDRAN,
AGED 62 YEARS,
S/O. NARAYANAN,
MEMBER NO. 2775,
KUMARAKOM SERVICE CO-OPERATIVE BANK
LTD. NO. 2298, KUMARAKOM P.O.,
KOTTAYAM DISTRICT,
RESIDING AT VETTIKATTUKALAM HOUSE,
KUMARAKOM P.O.,
KOTTAYAM DISTRICT, PIN - 686563

BY ADVS.
NISHA GEORGE
GEORGE POONTHOTTAM (SR.)
A.L.NAVANEETH KRISHNAN
KAVYA VARMA M. M.
SIDHARTH.R.WARIYAR
ANSHIN K.K



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 4 :

RESPONDENTS :

- 1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE RETURNING OFFICER,
UNIT INSPECTOR, KUMARAKAM,
THE KUMARAKOM SERVICE CO-OPERATIVE BANK
LTD. NO. 2298, KUMARAKOM P.O.,
KOTTAYAM DISTRICT, PIN - 686563
- 3 THE STATE CO-OPERATIVE ELECTION COMMISSION,
3RD FLOOR, CO BANK TOWERS, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY, PIN - 695033

BY ADVS.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 5 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 21531 OF 2024

PETITIONERS:

- 1 JOE THOMAS,
 AGED 51 YEARS,
 S/O. THOMAS P.J.,
 PRESIDENT,
 NEDUMKUNNAM SERVICE CO-OPERATIVE BANK LTD. NO.
 1301, NEDUMKUNNAM P.O.,
 KOTTAYAM DISTRICT,
 RESIDING AT PAIKADU HOUSE,
 NEDUMKUNNAM P.O.,
 KOTTAYAM DISTRICT, PIN - 686542

- 2 JAMES JOSEPH,
 AGED 60 YEARS,
 S/O. JOSEPH,
 MEMBER NO. 6145,
 NEDUMKUNNAM SERVICE CO-OPERATIVE BANK LTD. NO.
 1301, NEDUMKUNNAM P.O., KOTTAYAM DISTRICT,
 RESIDING AT CHERUSSERIL HOUSE,
 MANTHURUTHY P.O.,
 KOTTAYAM DISTRICT, PIN - 686542

BY ADVS.
NISHA GEORGE
GEORGE POONTHOTTAM (SR.)
A.L.NAVANEETH KRISHNAN
KAVYA VARMA M. M.
SIDHARTH.R.WARIYAR
FATHIMA AMREEN JAMAL
ANSHIN K.K



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 6 :

RESPONDENTS :

- 1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM,
PIN - 695001

- 2 THE STATE CO-OPERATIVE ELECTION COMMISSION,
3RD FLOOR, CO BANK TOWERS, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY,
PIN - 695033

BY ADVS.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 7 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE N. NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 21582 OF 2024

PETITIONERS:

1 T.M. THOMAS,
AGED 81 YEARS,
S/O. LATE MATHAI, PRESIDENT,
PUTHUPPALLY SERVICE CO-OPERATIVE BANK LTD. NO.
1504, PUTHUPPALLY P.O., KOTTAYAM DISTRICT,
RESIDING AT THONDUKANDATHIL, PUTHUPPALLY P.O.,
KOTTAYAM DISTRICT, PIN - 686011

2 THOMAS STEPHEN,
AGED 62 YEARS,
S/O. STEPHEN, MEMBER,
PUTHUPPALLY SERVICE CO-OPERATIVE BANK LTD. NO.
1504, PUTHUPPALLY P.O., KOTTAYAM DISTRICT,
RESIDING AT MAVELIL, THARUN NIVAS, PUTHUPPALLY
P.O., KOTTAYAM DISTRICT, PIN - 686011

BY ADVS.
NISHA GEORGE
GEORGE POONTHOTTAM (SR.)
A.L.NAVANEETH KRISHNAN
KAVYA VARMA M. M.
ANSHIN K.K
NAMITA PHILSON

RESPONDENTS:

1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 8 :

2 THE STATE CO-OPERATIVE ELECTION COMMISSION
3RD FLOOR, CO BANK TOWERS, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM, REPRESENTED BY ITS
SECRETARY, PIN - 695033

BY ADVS.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 9 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE N. NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP (C) NO. 21629 OF 2024

PETITIONERS:

- 1 E.K.SETHU,
S/O VELAYUDHAN PILLAI, AGED 74 YEARS,
PRESIDENT,
ELOOR SERVICE CO-OPERATIVE BANK LTD.E 103,
RESIDING AT EDACKATHALATHU HOUSE, ELOOR EAST,
UDYOGAMANDAN P.O, ERNAKULAM., PIN - 683501
- 2 PAUL P.JOSEPH,
S/O JOSEPH, AGED 75 YEARS, PRESIDENT,
AYROOR SERVICE CO-OPERATIVE BANK LTD.NO.2237,
RESIDING AT PANIKULANGARA HOUSE, NORTH
ADUVASSERY, PARAVUR, ERNAKULAM, PIN - 683513
- 3 MATHEW THOMAS,
AGED 65 YEARS, S/O V.M.THOMAS, PRESIDENT,
ANGAMALY CO-OPERATIVE AGRICULTURIST SOCIETY
LTD.E 240, RESIDING AT VITHAYATHIL HOUSE,
NAYATHODU P.O, ANGAMALI., PIN - 683572

BY ADVS.
P.N.MOHANAN
C.P.SABARI
AMRUTHA SURESH
GILROY ROZARIO



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 10 :

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM., PIN - 695001
- 3 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 ., PIN - 695014
- 4 RETURNING OFFICER,
(SPECIAL SALE OFFICER) TO ELOOR SCB GROUP) TO
AYROOR SERVICE CO-OPERATIVE BANK. ASSISTANT
REGISTRAR OF CO-OPERATIVE SOCIETIES (G), OFFICE
OF THE ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETIES, N.PARAVUR, ERNAKULAM., PIN - 683513
- 5 THE STATE CO-OPERATIVE ELECTION COMMISSION,
REPRESENTED BY ELECTION COMMISSIONER, 3RD FLOOR,
CO-BANK TOWERS, PALAYAM, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM., PIN - 695033

BY ADVS.

SRI.C.M.NAZAR, SC
SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)
SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL
SRI.N.MANOJ KUMAR, STATE ATTORNEY
SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER
SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 11 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 21697 OF 2024

PETITIONERS:

- 1 PRATHULACHANDRAN T.K. ,
AGED 66 YEARS,
S/O. KARUNAKARAN VAIDYAR,
THAZHATHUMURIYIL HOUSE, K.R. PURAM P.O. ,
PALLIPURAM, ALAPUZHA, PIN - 688541
- 2 BIJU P.N. ,
AGED 54 YEARS,
S/O. PADMANABHAN,
RESIDING AT NANADITHARA,
PALLIPURAM P.O. ,
ALAPUZHA, PIN - 688541

BY ADVS.
N.ANAND
RAJESH O.N.
ROY ANTONY

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
- 2 THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 12 :

- 3 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, PIN - 695014
- 4 THE CO-OPERATIVE ELECTION COMMISSION,
REPRESENTED BY ITS SECRETARY,
CO-BANK TOWERS, PALAYAM, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM, PIN - 695033
- 5 THE PALLIPURAM VILLAGE CO-OPERATIVE BANK,
PALLIPURAM P.O,
CHERTHALA, ALAPUZHA,
REPRESENTED BY ITS SECRETARY, PIN - 688541
- 6 THE RETURNING OFFICER,
THE PALLIPURAM VILLAGE CO-OPERATIVE BANK,
PALLIPURAM P.O,
CHERTHALA ALAPUZHA, PIN - 688541
- 7 THE ELECTORAL OFFICER,
THE PALLIPURAM VILLAGE CO-OPERATIVE BANK,
PALLIPURAM P.O,
CHERTHALA ALAPUZHA, PIN - 688541

BY ADVS.

SRI.C.M.NAZAR, SC

SRI.BIJITH S KHAN SHANAVAS

SMT.RESHMA T. (K/508/2014)

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 13 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 21796 OF 2024

PETITIONERS:

- 1 P. MADHAVAN,
AGED 72 YEARS,
S/O. BALAKRISHNAN NAIR,
PRESIDENT,
CHIRANELLUR SERVICE CO-OPERATIVE BANK LTD. NO.
640, CHIRANELLUR P.O.,
KECHERY VIA, THRISSUR DISTRICT,
RESIDING AT PAREKKATTU HOUSE,
THALAKKOTTUKARA P.O.,
THRISSUR DISTRICT, PIN - 680501
- 2 P. VIJAYALAKSHMI,
AGED 78 YEARS,
W/O. RAMAKRISHNAN NAIR, MEMBER,
CHIRANELLUR SERVICE CO-OPERATIVE BANK LTD. NO.
640, CHIRANELLUR P.O.,
KECHERY VIA, THRISSUR DISTRICT,
RESIDING AT PAREKKATTU HOUSE,
THALAKKOTTUKARA P.O.,
THRISSUR DISTRICT, PIN - 680501
- 3 MOHAMMED SALIM,
AGED 51 YEARS,
S/O. MOHAMMED, MEMBER,
CHIRANELLUR SERVICE CO-OPERATIVE BANK LTD. NO.
640, CHIRANELLUR P.O., KECHERY VIA,
THRISSUR DISTRICT,
RESIDING AT THERUVATH HOUSE,
PATTIKKARA, CHIRANELLUR,
THRISSUR DISTRICT, PIN - 680501



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 14 :

BY ADVS.
NISHA GEORGE
GEORGE POONTHOTTAM (SR.)
A.L.NAVANEETH KRISHNAN
KAVYA VARMA M. M.
ANSHIN K.K

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001

- 2 THE STATE CO-OPERATIVE ELECTION COMMISSION,
3RD FLOOR, CO BANK TOWERS,
VIKAS BHAVAN P.O., THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY,
PIN - 695033

BY ADVS.
SRI.C.M.NAZAR, SC
SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)
SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL
SRI.N.MANOJ KUMAR, STATE ATTORNEY
SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER
SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 15 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 22180 OF 2024

PETITIONERS:

- 1 BOARD OF DIRECTORS OF VAZHAKKULAM SERVICE
CO-OPERATIVE BANK LTD. NO.751,
VAZHAKKULAM, MUVATTUPUZHA,
REPRESENTED BY ITS PRESIDENT JOSE THOMAS,
PIN - 686670
- 2 JOSE THOMAS @ JOSE PERUMPALLY KUNNEL,
AGED 66 YEARS,
S/O.THOMAS, PERUMBALLY KUNNEL,
VAZHAKKULAM, MUVATTUPUZHA, PIN - 686670
- *3 BOARD OF DIRECTORS OF THE MUKKANNUR SERVICE
CO-OPERATIVE BANK LTD. NO.E62, (DELETED)
MUKKANNUR P.O.,
REPRESENTED BY ITS PRESIDENT K.P.BABY,
PIN 683577
- *4 K.P.BABY, (DELETED)
AGED 7 YEARS,
S/O.POULO, KARIPARAMBATT HOUSE,
KOKKUNNUR, MOOKKANNUR P.O., PIN - 683577
- *5 ADV.M.P.JOHNSON, (DELETED)
AGED 57 YEARS,
S/O.POULOSE, MADASSERI HOUSE,
MUKKANNUR P.O., PIN-683577.

*[PETITIONERS NO.3 TO 5 ARE DELETED FROM THE
PARTY ARRAY, AS PER ORDER DATED 17.07.2024 IN
I.A.No.1/2024 IN WP(C) 22180/2024]



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 16 :

BY ADVS.
NISHA GEORGE
GEORGE POONTHOTTAM (SR.) (K/000570/1979)

RESPONDENTS :

- 1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 LAW SECRETARY,
LAW LEGISLATION - (H) DEPARTMENT,
GOVERNMENT OF KERALA GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 3 REGISTRAR OF CO-OPERATIVE SOCIETIES
OFFICE OF THE REGISTRAR OF CO-OPERATIVE
SOCIETIES JAWAHAR SAHAKARANA BHAVAN DPI
JUNCTION, THYCAUD (PO),
THIRUVANANTHAPURAM, PIN - 695014
- 4 STATE CO-OPERATIVE ELECTION COMMISSIONER
VIKAS BHAVAN, JANAHITHAM, NEAR LEGISLATIVE
ASSEMBLY, THIRUVANANTHAPURAM,
KERALA, PIN - 695033

BY ADVS.
SRI.C.M.NAZAR, SC
SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)
SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL
SRI.N.MANOJ KUMAR, STATE ATTORNEY
SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER
SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 17 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 22342 OF 2024

PETITIONER:

M.P. SHAJU, * (CORRECTED)
AGED 54 YEARS,
JANAKIARAM, SWATHI NAGAR,
KANNAMMOLLA,
MEDICAL COLLEGE.P.O.,
THIRUVANANTHAPURAM PRESIDENT,
PATTOM SERVICE CO-OPERATIVE BANK LTD.T. 1318,
KANNAMMOOLA,
THIRUVANANTHAPURAM, PIN-695011.

*(THE PETITIONER NAME IS CORRECTED AS M.P.SAJU
AS PER ORDER DATED 02.07.2024 IN I.A. 1/2024 OF
WP(C) 22342/2024)

BY ADVS.

B.S.SWATHI KUMAR
ANITHA RAVINDRAN
HARISANKAR N UNNI
K.MINI MOLE (M-1356)

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 STATE CO-OPERATIVE ELECTION COMMISSION
3RD FLOOR, CO-BANK TOWERS, VIKAS BHAVAN,
THIRUVANANTHAPURAM, PIN - 695033
REPRESENTED BY ITS SECRETARY.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 18 :

3 THE RETURNING OFFICER/UNIT INSPECTOR,
PATTOM, OFFICE OF THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES (G) ,
THIRUVANANTHAPURAM,
ELECTION TO THE MANAGING COMMITTEE OF THE PATTOM
SERVICE CO-OPERATIVE BANK LTD.T. 1318,
KANNAMMOOLA,
THIRUVANANTHAPURAM, PIN - 695033.

BY ADVS.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 19 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 22428 OF 2024

PETITIONERS:

- 1 SHAJU K FRANCIS,
AGED 48 YEARS,
S/O P.D FRANCIS PRESIDENT,
KURIACHIRA SERVICE CO-OPERATIVE BANK LTD NO.637
KURIACHIRA P.O, THRISSUR,, PIN - 680006
- 2 BABU G KARIYATTI,
AGED 64 YEARS,
S/O K.K. GEORGE KARIYATTI HOUSE,
CHIYARAM P.O, PIN-680026 MEMBER,
KURIACHIRA SERVICE CO-OPERATIVE BANK LTD NO.637
KURIACHIRA P.O,
THRISSUR, PIN - 680006

BY ADVS.
C.A.JOJO
S.JIJI
M.M.BABY
JOSEPH ANU A.A

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT, T/C 25/357(4) GANDHARI
AMMAN KOVIL ROAD, STATU, 7TH FLOOR,
AKSHARAMANDHIRAM, HEAD POST OFFICE P.O
THIRUVANANTHAPURAM, PIN - 695001



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 20 :

3 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, PIN - 695014

4 THE STATE CO-OPERATIVE ELECTION COMMISSION,
KERALA,
REPRESENTED BY ITS SECRETARY,
CO-BANK TOWERS, PALAYAM,
VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM, PIN - 695033

BY ADVS.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 21 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 22638 OF 2024

PETITIONERS:

- 1 JOHNSON K. ,
 AGED 83 YEARS,
 PRESIDENT, NARUVAMOODU SERVICE
 CO-OPERATIVE BANK LTD,
 RESIDING AT NELLIVILAYIL,
 VELLAPPALLY, NARUVAMOOD P.O,
 THIRUVANANTHAPURAM, PIN - 695528.

- 2 K.R.CHANDRAN,
 AGED 78 YEARS,
 PRESIDENT, VIYYUR SERVICE CO-OPERATIVE
 BANK LTD NO.177, VIYYUR, P.O.,
 THRISSUR RESIDING AT KARANATH HOUSE,
 VIYYUR, THRISSUR, PIN - 680010

- 3 A.K.RADHAKRISHNAN,
 AGED 63 YEARS,
 MANAGING COMMITTEE MEMBER,
 VIYYUR SERVICE CO-OPERATIVE BANK
 LTD NO.177,
 RESIDING AT ALOOPARAMBIL HOUSE,
 VIYYUR, P.O., THRISSUR, PIN - 680010

- 4 SHANAVAS V.K. ,
 AGED 59 YEARS,
 KADUNGALLUR SCB LTD.NO.863,
 WEST KADUNGALLUR,
 RESIDING AT VELLUKUZHI HOUSE,
 WEST KADUNGALLUR, PIN - 683110



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 22 :

- 5 JOHN BRITTO P.G.,
AGED 49 YEARS,
PRESIDENT, AMBALAPPUZHA THALUK AIDED SECONDARY
SCHOOL EMPLOYEES CO-OPERATIVE BANK LTD.NO.A-338,
ALAPPUZHA, RESIDING AT VADAKKAL,
ALAPPUZHA, PIN - 688011
- 6 I.K.GOVINDAN
AGED 79 YEARS
PRESIDENT, LOKAMALESWARAM SERVICE CO-OPERATIVE
BANK LTD.249, RESIDING AT ITTITHARA HOUSE,
LOKAMALESWARAM, KODUNGALLUR, THRISSUR, PIN -
683110
- 7 MURALEEDHARAN K.G.,
AGED 73 YEARS
PRESIDENT, PULLOOT SERVIICE CO-OPERATIVE BANK
611, PULLUT P.O, KODUNGALLUR, THRISSUR, RESIDING
AT KUNNATHU SANKARANARAYANEYAM, KODUNGALLUR,
THRISSUR, PIN - 680663
- 8 ITTOOP IYNIKKADAN,
AGED 69 YEARS,
PRESIDENT,
WEST CHALAKUDY SERVICE CO-OPERATIVE BANK
LTD.NO.R.262, P.O.CHALAKUDY,
THRISSUR, RESIDING AT IYINIKKADAN HOUSE,
WEST CHALAKKUDY P.O, THRISSUR, PIN - 680307

BY ADV P.N.MOHANAN

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM,
PIN - 695001
- 2 THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 23 :

- 3 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, PIN - 695014
- 4 RETURNING OFFICER / UNIT INSPECTOR TO VIYYUR
SERVICE CO-OPERATIVE BANK,
KOLAZHI, OFFICE OF THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES (GENERAL),
THRISSUR, PIN - 680003
- 5 RETURNING OFFICER / (ALANGAD UNIT INSPECTOR)
TO KADUNGALLUR SERVICE CO-OPERATIVE BANK
OFFICE OF THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES (GENERAL),
N.PARAVUR, PIN - 683513
- 6 THE STATE CO-OPERATIVE ELECTION COMMISSION,
REPRESENTED BY ELECTION COMMISSIONER
3RD FLOOR, CO-BANK TOWERS,
PALAYAM, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM, PIN - 695033

BY ADVS.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND
CONNECTED CASES, THE COURT ON 30.10.2024 DELIVERED THE
FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 24 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 22645 OF 2024

PETITIONERS:

- 1 K.P.JOBICHAN,
AGED 59 YEARS,
PRESIDENT,
THYCATTUSERY SERVICE CO-OPERATIVE BANK
LTD.NO.275, THYCATTUSSERY P.O,
ALAPPUZHA. RESIDING AT KOLUTHARA HOUSE,
POOCHAKKAL P.O, ALAPPUZHA, PIN - 688528
- 2 C.K.SHAJI MOHAN,
AGED 68 YEARS,
PRESIDENT,
CHERTHALA CO-OPERATIVE AGRICULTURAL & RURAL
DEVELOPMENT BANK, CHERTHALA P.O, ALAPPUZHA.
RESIDING AT SIVAKRIPA, VELARVATTOM, CHERTHALA
P.O, ALAPPUZHA 688524., PIN - 688524
- 3 HYDROS KOYA THANGAL,
AGED 72 YEARS,
PRESIDENT,
NANNAMBRA SERVICE CO-OPERATIVE BANK LTD.NO.393,
KODINJI P.O, MALAPPURAM, RESIDING AT SALIM
MANZIL, KODINJIPALLIKKAL HOUSE, KOZHINJI P.O,
MALAPPURAM., PIN - 676309

BY ADVS.
P.N.MOHANAN
C.P.SABARI
AMRUTHA SURESH
GILROY ROZARIO



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 25 :

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
- 2 THE STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM., PIN - 695001
- 3 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, PIN - 695014
- 4 RETURNING OFFICER / UNIT INSPECTOR TO
THYCATTUSERY SERVICE CO-OPERATIVE BANK
OFFICE OF THE ASSISTANT REGISTRAR OF CO-
OPERATIVE SOCIETIES (GENERAL),
THYCATTUSSERY P.O, ALAPPUZHA, PIN - 688528
- 5 THE STATE CO-OPERATIVE ELECTION COMMISSION,
REPRESENTED BY ELECTION COMMISSIONER, 3RD FLOOR,
CO-BANK TOWERS, PALAYAM, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM., PIN - 695033

BY ADVS.

SRI.C.M.NAZAR, SC
SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)
SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL
SRI.N.MANOJ KUMAR, STATE ATTORNEY
SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER
SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 26 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 22656 OF 2024

PETITIONERS:

- 1 VENUGOPAL T.M. ,
AGED 69 YEARS,
S/O.K.K.MADHAVAN PILLAI,
THEKKEMAYALIL, MULAKUZHA P.O,
CHENGANNUR,
ALAPPUZHA DISTRICT, PIN - 689505
- 2 SANTHOSH S. ,
AGED 62 YEARS,
S/O.T.K.SREEDHARAN,
SANTHOSH BHAVAN, KARAKKAD P.O,
MULAKUZHA, KARAKKAD,
ALAPPUZHA DISTRICT, PIN - 689504

BY ADVS.
T.R.HARIKUMAR
ARJUN RAGHAVAN

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
CO-OPERATION (C) DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
JAWAHAR SAHAKARANA BHAVAN,
DPI JUNCTION, THYCAUD P.O,
THIRUVANANTHAPURAM, PIN - 695014



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 27 :

- 3 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL),
ALAPPUZHA, MULLAKKAL,
ALAPPUZHA DISTRICT, PIN - 688011
- 4 THE STATE CO-OPERATIVE ELECTION COMMISSION,
REPRESENTED BY ITS SECRETARY, 3RD FLOOR,
CO-BANK TOWERS, VIKAS BHAVAN P.O,
THIRUVANANTHAPURAM, PIN - 695033
- 5 THE ELECTORAL OFFICER,
MULAKUZHA SERVICE CO-OPERATIVE BANK LTD.
NO.1224, (ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), CHENGANNUR,
ALAPPUZHA DISTRICT, PIN - 689121
- 6 RETURNING OFFICER,
MULAKUZHA SERVICE CO-OPERATIVE BANK LTD.
NO.1224, (UNIT INSPECTOR, CHENGANNUR,
OFFICE OF THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES (GENERAL),
CHENGANNUR,
ALAPPUZHA DISTRICT, PIN - 689121
- 7 THE MULAKUZHA SERVICE CO-OPERATIVE BANK LTD.
NO.1224,
REPRESENTED BY ITS SECRETARY,
MULAKUZHA P.O, CHENGANNUR,
ALAPPUZHA DISTRICT, PIN - 689505

BY ADVS.

SMT.PARVATHI S.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND
CONNECTED CASES, THE COURT ON 30.10.2024 DELIVERED THE
FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 28 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 22692 OF 2024

PETITIONERS:

- 1 SUNDARAN KUNNATHULLY,
AGED 57 YEARS, S/O SEKCHARAN PRESIDENT,
AMBALAPAD SERVICE CO-OPERATIVE BANK LTD NO.759
KUNDUKAD P.O, THRISSUR, PIN - 680028
- 2 P.J. RAJU,
AGED 60 YEARS,
S/O JOSEPH PALLIKKUNNEL HOUSE,
MALAKKA, MANALITHARA P.O, THRISSUR,
COMMITTEE MEMBER,
AMBALAPAD SERVICE CO-OPERATIVE BANK LTD NO.759,
PIN - 680589
- 3 GIJO KURIAN,
AGED 60 YEARS,
S/O KURIAN PULIYANMAKKAL HOUSE,
POOMALA P.O, THRISSUR,
COMMITTEE MEMBER,
AMBALAPAD SERVICE CO-OPERATIVE BANK LTD NO.759,
PIN - 680581
- 4 JAMES N.Q. ,
AGED 70 YEARS,
S/O GEORGE NEDUMATTATHIL HOUSE,
KALLUMKOOTTAM, MANALITHARA P.O,
THRISSUR, PIN - 680589

BY ADVS.
C.A.JOJO
JOSEPH ANU A.A



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 29 :

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
- 2 THE SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT, T/C 25/357(4) GANDHARI
AMMAN KOVIL ROAD, STATU, 7TH FLOOR,
AKSHARAMANDHIRAM, HEAD POST OFFICE P.O
THIRUVANANTHAPURAM, PIN - 695001
- 3 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, PIN - 695014
- 4 THE STATE CO-OPERATIVE ELECTION COMMISSION
KERALA,
REPRESENTED BY ITS SECRETARY, CO-BANK TOWERS,
PALAYAM, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM-, PIN - 695033
- 5 THE ELECTORAL OFFICER,
OFFICE OF THE ASST. REGISTRAR THALAPPILLY
THALUK, WADAKKANCHERY P.O THRISSUR,,
PIN - 680582
- 6 THE RETURNING OFFICER,
A & E INSPECTOR-2,
OFFICE OF THE ASST. REGISTRAR THALAPPILLY TALUK,
WADAKKANCHERY P.O THRISSUR, PIN - 680582

BY ADVS.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
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CONNECTED CASES, THE COURT ON 30.10.2024 DELIVERED THE
FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 30 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 22740 OF 2024

PETITIONER:

ABDULKALAM AZAD C. ,
AGED 51 YEARS,
S/O.MUHAMMED ALI,
CHENGARAMCHOLA HOUSE,
CHERUSHOLA P.O,
MALAPPURAM DISTRICT, PIN - 676501

BY ADVS.
T.R.HARIKUMAR
ARJUN RAGHAVAN

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
CO-OPERATION (C) DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
JAWAHAR SAHAKARANA BHAVAN,
DPI JUNCTION,
THYCAUD P.O,
THIRUVANANTHAPURAM, PIN - 695014
- 3 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL)
MALAPPURAM, CIVIL STATION,
MALAPPURAM DISTRICT,
PIN - 676505



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 31 :

- 4 THE STATE CO-OPERATIVE ELECTION COMMISSION,
REPRESENTED BY ITS SECRETARY,
3RD FLOOR, CO-BANK TOWERS,
VIKAS BHAVAN P.O,
THIRUVANANTHAPURAM, PIN - 695033
- 5 THE ELECTORAL OFFICER,
EDARIKODE SERVICE CO-OPERATIVE BANK LTD.
NO.10739, (ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), THIRURANGADI,
MALAPPURAM DISTRICT), PIN - 676306
- 6 RETURNING OFFICER,
EDARIKODE SERVICE CO-OPERATIVE BANK LTD.
NO.10739, (UNIT INSPECTOR, VENGARA,
OFFICE OF THE ASSISTANT REGISTRAR OF CO-
OPERATIVE SOCIETIES (GENERAL),
THIRURANGADI,
MALAPPURAM DISTRICT, PIN - 676306
- 7 THE EDARIKODE SERVICE CO-OPERATIVE BANK LTD.
NO.10739
REPRESENTED BY ITS SECRETARY, EDARIKODE P.O,
MALAPPURAM DISTRICT, PIN - 676501

BY ADVS.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND
CONNECTED CASES, THE COURT ON 30.10.2024 DELIVERED THE
FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 32 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 23203 OF 2024

PETITIONERS:

- 1 SREEKUMARAN K.B. ,
AGED 52 YEARS,
S/O.T.G.BALAKRISHNAN NAIR,
KOIPURATHU HOUSE,
VENMONEY P.O, CHENGANNUR,
ALAPPUZHA DISTRICT, PIN - 689509
- 2 MADHUSOODHANAN PILLAI,
AGED 57 YEARS,
S/O.GOPALAKRISHNA PILLAI,
KAREELATHARAYIL VEEDU,
VENMONEY P.O,
CHENGANNUR,
ALAPPUZHA DISTRICT, PIN - 689509

BY ADVS.
T.R.HARIKUMAR
ARJUN RAGHAVAN

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
CO-OPERATION (C) DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695001
- 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
JAWAHAR SAHAKARANA BHAVAN, DPI JUNCTION,
THYCAUD P.O,
THIRUVANANTHAPURAM, PIN - 695014



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 33 :

- 3 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL),
ALAPPUZHA, MULLAKKAL,
ALAPPUZHA DISTRICT, PIN - 688011
- 4 THE STATE CO-OPERATIVE ELECTION COMMISSION,
REPRESENTED BY ITS SECRETARY, 3RD FLOOR,
CO-BANK TOWERS, VIKAS BHAVAN P.O,
THIRUVANANTHAPURAM, PIN - 696033
- 5 THE ELECTORAL OFFICER,
VENMONEY SERVICE CO-OPERATIVE BANK LTD. NO.118,
(ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL), CHENGANNUR,
ALAPPUZHA DISTRICT, PIN - 689121
- 6 THE RETURNING OFFICER,
VENMONEY SERVICE CO-OPERATIVE BANK LTD. NO.118,
(UNIT INSPECTOR, CHENGANNUR, OFFICE OF THE
ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL), CHENGANNUR,
ALAPPUZHA DISTRICT, PIN - 689121
- 7 THE VENMONEY SERVICE CO-OPERATIVE BANK LTD.
NO.118,
REPRESENTED BY ITS SECRETARY,
VENMONEY P.O, CHENGANNUR,
ALAPPUZHA DISTRICT, PIN - 689509

BY ADVS.

SMT.ADITHYA RAJEEV

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 34 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 23252 OF 2024

PETITIONERS:

- 1 P.A. HARISCHANDRAN,
AGED 64 YEARS,
S/O. P.G. ANANTHANPILLA,
MEMBER MANAGING COMMITTEE,
KUMARAKOM SERVICE CO-OPERATIVE BANK LTD. NO.
2298, KUMARAKOM P.O., KOTTAYAM DISTRICT,
RESIDING AT PUTHENPURAKKAL HOUSE, KUMARAKAM
P.O., KOTTAYAM DISTRICT, PIN - 686563
- 2 M.K. VIDYADHARAN,
AGED 76 YEARS,
S/O. LATE KUNJUPANICKER,
MEMBER MANAGING COMMITTEE,
KUMARAKOM SERVICE CO-OPERATIVE BANK LTD. NO.
2298, KUMARAKOM P.O., KOTTAYAM DISTRICT,
RESIDING AT MOZHICHERIL, KUMARAKAM P.O.,
KOTTAYAM DISTRICT, PIN - 686563
- 3 C.J. SABU,
AGED 61 YEARS,
S/O. VARKEY JOHN,
MEMBER MANAGING COMMITTEE,
KUMARAKOM SERVICE CO-OPERATIVE BANK LTD. NO.
2298, KUMARAKOM P.O., KOTTAYAM DISTRICT,
RESIDING AT CHERUPUSHPAVILASAM, KUMARAKAM P.O.,
KOTTAYAM DISTRICT, PIN - 686563
- 4 T.D. BAIJU,
AGED 59 YEARS,
S/O. A.K. SIVADAS,
MEMBER MANAGING COMMITTEE,
KUMARAKOM SERVICE CO-OPERATIVE BANK LTD. NO.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 35 :

2298, KUMARAKOM P.O., KOTTAYAM DISTRICT,
RESIDING AT THUNDIPARAMBA, KUMARAKAM P.O.,
KOTTAYAM DISTRICT, PIN - 686563

BY ADVS.
SMT.NISHA GEORGE
SRI.GEORGE POONTHOTTAM (SR.)
SMT.KAVYA VARMA M. M.

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE RETURNING OFFICER,
UNIT INSPECTOR, KUMARAKAM,
THE KUMARAKOM SERVICE CO-OPERATIVE BANK LTD. NO.
2298, KUMARAKOM P.O.,
KOTTAYAM DISTRICT, PIN - 686563
- 3 THE STATE CO-OPERATIVE ELECTION COMMISSION
3RD FLOOR, CO BANK TOWERS, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM, REPRESENTED BY ITS
SECRETARY, PIN - 695033
- 4 KUMARAKOM SERVICE CO-OPERATIVE BANK
LTD. NO. 2298,
KUMARAKOM P.O., KOTTAYAM DISTRICT,
REPRESENTED BY THE SECRETARY, PIN - 686563

BY ADVS.
SRI.C.M.NAZAR, SC
SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)
SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL
SRI.N.MANOJ KUMAR, STATE ATTORNEY
SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER
SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 36 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE N. NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 23325 OF 2024

PETITIONERS:

- 1 P. MOHANACHANDRAN NAIR,
AGED 69 YEARS,
S/O. BALAKRISHNA PILLA, MEMBER,
MANAGING COMMITTEE,
VIJAYAPURAM SERVICE CO-OPERATIVE BANK
LTD. NO. 4066, MANARCAD,
KOTTAYAM DISTRICT-686019,
RESIDING AT PULIPRA HOUSE,
MANARCAD, KOTTAYAM DISTRICT, PIN - 686019
- 2 SUMA JOSE,
AGED 60 YEARS,
W/O. M.I. JOSE, MEMBER,
MANAGING COMMITTEE,
VIJAYAPURAM SERVICE CO-OPERATIVE BANK LTD. NO.
4066, MANARCAD, KOTTAYAM DISTRICT-686019,
RESIDING AT OOROTTUKALAYIL, MANARCAD,
KOTTAYAM DISTRICT, PIN - 686019
- 3 K.K. THOMAS,
AGED 64 YEARS,
S/O. K.V. KORAH, MEMBER, MANAGING COMMITTEE,
VIJAYAPURAM SERVICE CO-OPERATIVE BANK LTD. NO.
4066, MANARCAD, KOTTAYAM DISTRICT-686019,
RESIDING AT KUNNEL HOUSE, MANARCAD,
KOTTAYAM DISTRICT, PIN - 686019
- 4 JOJI C. JOHN,
AGED 56 YEARS,
S/O. C.T. JOHN, MEMBER, MANAGING COMMITTEE,
VIJAYAPURAM SERVICE CO-OPERATIVE BANK LTD. NO.
4066, MANARCAD, KOTTAYAM DISTRICT-686019,
RESIDING AT CHAKKU HOUSE, MANARCAD,
KOTTAYAM DISTRICT, PIN - 686019



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 37 :

BY ADVS.
SMT.NISHA GEORGE
SMT.KAVYA VARMA M. M.
SRI.GEORGE POONTHOTTAM (SR.)

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE RETURNING OFFICER,
UNIT INSPECTOR ETTUMANOOR,
THE VIJAYAPURAM SERVICE CO-OPERATIVE BANK LTD.
NO. 4066, MANARCAD,
KOTTAYAM DISTRICT, PIN - 686019
- 3 THE STATE CO-OPERATIVE ELECTION COMMISSION
3RD FLOOR, CO BANK TOWERS,
VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM -695033,
REPRESENTED BY ITS SECRETARY,
PIN - 695033
- 4 THE VIJAYAPURAM SERVICE CO-OPERATIVE BANK LTD.
NO. 4066,
MANARCAD, KOTTAYAM DISTRICT,
REPRESENTED BY ITS SECRETARY, PIN - 686019

BY ADVS.
SRI.C.M.NAZAR, SC
SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)
SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL
SRI.N.MANOJ KUMAR, STATE ATTORNEY
SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER
SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 38 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 23479 OF 2024

PETITIONER:

RADHAKRISHNAN K. @ AVOLAM RADHAKRISHNAN,
AGED 72 YEARS,
S/O.T.N.NARYANAN,
SREEVALSAM,
CHALAPPURAM,
PERODE P.O.,
THUNERI, KOZHIKODE, PIN - 673504

BY ADV.SRI.SAYED MANSOOR BAFAKHY THANGAL

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANATHAPURAM, PIN - 695001
- 2 RETURNING OFFICER,
UNIT INSPECTOR- AZHIYUR,
THE CO-OPERATIVE AGRICULTURAL & RURAL
DEVELOPMENT BANK LTD NO.F 1857,
KAKKATTIL, VADAKARA TALUK,
KOZHIKODE DISTRICT COLLECTOR, PIN - 673507
- 3 THE STATE CO OPERTIVE ELECTION COMMISSION
3RD FLOOR,
CO BANK TOWERS VIKAS BHAVAN P.O
THIRUVANTHAPURAM, PIN - 695033
REPRESENTED BY ITS SECRETARY.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 39 :

BY ADVS.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND
CONNECTED CASES, THE COURT ON 30.10.2024 DELIVERED THE
FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 40 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 23565 OF 2024

PETITIONERS:

- 1 ALEX P. GEORGE,
AGED 58 YEARS,
S/O. P.C. GEORGE, MEMBER,
PUTHUPPALLY SERVICE CO-OPERATIVE BANK
LTD.NO.1504, PUTHUPPALLY P.O., KOTTAYAM
DISTRICT, RESIDING AT PULINTHARAKKUNNEL,
PUTHUPPALLY, KOTTAYAM DISTRICT, PIN - 686011
- 2 VINOD EASSO,
AGED 57 YEARS,
S/O. C.K. EASSO, MEMBER,
PUTHUPPALLY SERVICE CO-OPERATIVE BANK
LTD.NO.1504, PUTHUPPALLY P.O., KOTTAYAM
DISTRICT, RESIDING AT CHOORAMPALLIL,
PUTHUPPALLY,
KOTTAYAM DISTRICT, PIN - 686011
- 3 MOHANDAS V.A.,
AGED 66 YEARS,
S/O. AYYAPPAN NAIR, MEMBER,
PUTHUPPALLY SERVICE CO-OPERATIVE BANK LTD. NO.
1504, PUTHUPPALLY P.O.,
KOTTAYAM DISTRICT, RESIDING AT
VADAKKETHUPUTHANPURAKKAL,
PUTHUPPALLY, KOTTAYAM DISTRICT,
PIN - 686011

BY ADVS.

SMT.NISHA GEORGE

SMT.KAVYA VARMA M. M.

SRI.GEORGE POONTHOTTAM (SR.)



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 41 :

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE RETURNING OFFICER,
OFFICE INSPECTOR,
PUTHUPPALLY SERVICE CO-OPERATIVE BANK
LTD.NO.1504, PUTHUPPALLY P.O.,
KOTTAYAM DISTRICT, PIN - 686011
- 3 THE STATE CO-OPERATIVE ELECTION COMMISSION,
3RD FLOOR, CO BANK TOWERS, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM, REPRESENTED BY ITS
SECRETARY, PIN - 695033
- 4 THE PUTHUPPALLY SERVICE CO-OPERATIVE
BANK LTD. NO. 1504,
PUTHUPPALLY P.O., KOTTAYAM DISTRICT,
REPRESENTED BY ITS SECRETARY, PIN - 686011

BY ADVS.

SRI.C.M.NAZAR, SC
SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)
SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL
SRI.N.MANOJ KUMAR, STATE ATTORNEY
SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER
SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND
CONNECTED CASES, THE COURT ON 30.10.2024 DELIVERED THE
FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 42 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 23575 OF 2024

PETITIONERS:

- 1 T.K.MOHANADASA KURUP,
AGED 65 YEARS,
S/O. KARUNAKARAN NAIR, PRESIDENT,
CHAMPAKKARA SERVICE CO-OPERATIVE BANK
LTD.NO.3511, CHAMPAKKARA P.O.,
KARUKACHAL, KOTTAYAM DISTRICT-686540,
RESIDING AT SREESAILAM, CHAMPAKKARA P.O.,
KARUKACHAL, KOTTAYAM DISTRICT, PIN - 686540
- 2 JOHN P.V.,
AGED 72 YEARS,
MEMBER, BOARD OF DIRECTORS,
CHAMPAKKARA SERVICE CO-OPERATIVE BANK
LTD.NO.3511, CHAMPAKKARA P.O., KARUKACHAL,
KOTTAYAM DISTRICT,
RESIDING AT POOVATHUMMOOTTIL,
KOOTHRAPPALLY P.O., KARUKACHAL,
KOTTAYAM DISTRICT, PIN - 686540

BY ADV.SMT.NISHA GEORGE

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 43 :

2 THE RETURNING OFFICER,
SPECIAL SALE OFFICER, PCARDB,
CHANGANASSERY, ELECTION TO THE CHAMPAKKARA
SERVICE CO-OPERATIVE BANK LTD. NO. 3511,
CHAMPAKKARA P.O., KARUKACHAL,
KOTTAYAM DISTRICT, PIN - 686540

3 THE STATE CO-OPERATIVE ELECTION COMMISSION
3RD FLOOR, CO BANK TOWERS,
VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY, PIN - 695033

BY ADVS.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND
CONNECTED CASES, THE COURT ON 30.10.2024 DELIVERED THE
FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 44 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 23598 OF 2024

PETITIONER:

P.GOPALAN,
AGED 79 YEARS,
S/O APPUKUTTAN,
THE PRESIDENT OF THE PUNNAYURKULAM SERVICE CO-
OPERATIVE BANK LTD NO. P 417,
PUNNAYURKULAM P.O.,
THRISSUR, PIN - 679561

BY ADVS.
SRI.C.A.JOJO
SRI.JOSEPH ANU A.A

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT,
T/C 25/357(4) GANDHARI AMMAN KOVIL ROAD,
STATU, 7TH FLOOR, AKSHARAMANDHIRAM,
HEAD POST OFFICE P.O.,
THIRUVANANTHAPURAM, PIN - 695001
- 3 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, PIN - 695014



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 45 :

4 THE STATE CO-OPERATIVE ELECTION COMMISSION,
KERALA,
REPRESENTED BY ITS SECRETARY, CO-BANK TOWERS,
PALAYAM, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM, PIN - 695033

BY ADVS.

SRI.C.M.NAZAR, SC
SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)
SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL
SRI.N.MANOJ KUMAR, STATE ATTORNEY
SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER
SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND
CONNECTED CASES, THE COURT ON 30.10.2024 DELIVERED THE
FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 46 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 25011 OF 2024

PETITIONERS:

- 1 MR.P.RAGHU @ NEDUNGOLAM RAGHU,
AGED 64 YEARS,
S/O.P.PRABHAKARAN, PRESIDENT,
PARAVUR S.N.V. REGIONAL COOPERATIVE BANK LTD.
NO.1685, PARAVUR, KOLLAM DISTRICT,
PIN-691 301, RESIDING AT SREEKRISHNA JYOTHI,
KONAYIL, PARAVUR, KOLLAM, PIN - 691301
- 2 MR.S.MADHUSUDANAN NAIR,
AGED 74 YEARS,
S/O.N.SANKARA PILLAI, PRESIDENT,
THE KOLLAM CO-OPERATIVE AGRICULTURAL & RURAL
DEVELOPMENT BANK LTD.NO.Q167, KOLLAM-691 001,
RESIDING AT LAKSHMI NIVAS, ARA-14C;
MUNDAKKAL, KOLLAM, PIN - 691001
- 3 MR.KALLADA VIJAYAN,
AGED 69 YEARS,
S/O.RAMAN PILLAI, AGED 69 YEARS, PRESIDENT,
THE KALLADA RURAL CO-OPERATIVE SOCIETY LTD.
NO.Q1427, KIZHAKKE KALLADA P.O., KOLLAM,
RESIDING AT KOIKKALAZHIKATH, KOYIKKAL MURI,
EAST KALLADA, KOLLAM, PIN - 691502
- 4 MR.V. OMANAKUTTAN PILLAI,
AGED 72 YEARS,
S/O.K.VASUPILLAI, PRESIDENT, PERINAD LAKSHMI
VILASM VILLAGE SERVICE CO-OPERATIVE BANK LTD.
NO.1841, KANJAVELY P.O., KOLLAM DISTRICT,
RESIDING AT THEKKEDATH KIZHAKKATHIL, NJARACKAL,
PERINAD, KOLLAM, PIN - 691601



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 47 :

BY ADVS.
P.MARTIN JOSE
P.PRIJITH
THOMAS P.KURUVILLA
R.GITESH
AJAY BEN JOSE
MANJUNATH MENON
SACHIN JACOB AMBAT
HARIKRISHNAN S.
ANNA LINDA EDEN

RESPONDENTS:

- 1 THE STATE OF KERALA,
REPRESENTED BY LAW SECRETARY LAW (LEGISLATION-H)
DEPARTMENT, GOVERNMENT SECRETARIAT,
TRIVANDRUM, PIN - 695001
- 2 THE PRINCIPAL SECRETARY,
CO-OPERATIVE DEPARTMENT,
GOVERNMENT SECRETARIAT,
TRIVANDRUM, PIN - 695001
- 3 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
JAWAHAR SAHAKARANA BHAVAN DPI JUNCTION,
THYCAUD P.O., THIRUVANANTHAPURAM, PIN - 695014
- 4 THE STATE CO-OPERATIVE ELECTION COMMISSION,
3RD FLOOR, CO-OPERATIVE BANK TOWERS,
VIKAS BHAVAN P.O., THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY, PIN - 695033

BY ADVS.
SRI.C.M.NAZAR, SC
SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)
SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL
SRI.N.MANOJ KUMAR, STATE ATTORNEY
SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER
SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND
CONNECTED CASES, THE COURT ON 30.10.2024 DELIVERED THE
FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 48 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 25135 OF 2024

PETITIONER:

TOM T. LUKOSE,
AGED 57 YEARS,
MEMBER,
VAZHAKKULAM SERVICE CO-OPERATIVE BANK
LTD.NO.751, VAZHAKKULAM P.O.,
MUVATTUPUZHA,
ERNAKULAM DISTRICT,
RESIDING AT THANNITTAMACKAL,
MADAKKATHANAM P.O.,
VAZHAKKULAM, MUVATTUPUZHA,
ERNAKULAM DISTRICT, PIN - 686670

BY ADVS.
SMT.NISHA GEORGE
SRI.GEORGE POONTHOTTAM (SR.)
SMT.KAVYA VARMA M. M.

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE RETURNING OFFICER,
UNIT INSPECTOR, KOOTHATTUKULAM,
ELECTION TO THE MANAGING COMMITTEE OF
VAZHAKKULAM SERVICE CO-OPERATIVE BANK LTD. NO.
751, VAZHAKKULAM P.O., MUVATTUPUZHA,
ERNAKULAM DISTRICT, PIN - 686670



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 49 :

3 THE STATE CO-OPERATIVE ELECTION COMMISSION
3RD FLOOR, CO BANK TOWERS, VIKAS BHAVAN P.O.,
THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY,
PIN - 695033

BY ADVS.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND
CONNECTED CASES, THE COURT ON 30.10.2024 DELIVERED THE
FOLLOWING:



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 50 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 25821 OF 2024

PETITIONER:

UZHAMALACKAL BABU,
AGED 62 YEARS,
S/O KUMARAPILLAI,
PREETHEEKSHA, THEKKUMKARA,
NEDUMANGAD, PRESIDENT,
UZHAMALACKAL HOUSING CO-OPERATIVE SOCIETY
LTD.NO.T.1215, CHARUMMOODU,
PUTHUKULANGARA.P.O., NEDUMANGAD,
THIRUVANANTHAPURAM., PIN - 695542

BY ADVS.
SMT.B.S.SWATHI KUMAR
SRI.HARISANKAR N UNNI
SMT.ANITHA RAVINDRAN
SMT.K.MINI MOLE (M-1356)

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 STATE CO-OPERATIVE ELECTION COMMISSION
3RD FLOOR, CO-BANK TOWERS, VIKAS
BHAVAN.P.O., THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY,
PIN - 695033



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 51 :

3 THE RETURNING OFFICER/UNIT INSPECTOR
UZHAMALACKAL, OFFICE OF THE ASSISTANT REGISTRAR
OF CO-OPERATIVE SOCIETIES (G), NEDUMANGAD,
ELECTION TO THE MANAGING COMMITTEE OF THE
UZHAMALACKAL HOUSING CO-OPERATIVE SOCIETY
LTD. NO. T.1215, CHARUMMOODU, PUTHUKULANGARA. P.O.,
NEDUMANGAD, THIRUVANANTHAPURAM., PIN - 695542

BY ADVS.

SRI. C. M. NAZAR, SC

SMT. R. LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI. GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI. N. MANOJ KUMAR, STATE ATTORNEY

SRI. P. P. THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI. IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



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W.P.(C) No.21368/2024 & connected cases

: 52 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 25896 OF 2024

PETITIONER:

JAYARAJ S.B. ,
AGED 55 YEARS,
S/O. BHASKARAN NAIR,
SREENILAYAM,
WEST VELIYATH NADU P.O,
ALUVA, ERNAKULAM, PIN - 683511

BY ADVS.
SRI.M.K.SUMOD
SMT.VIDYA M.K.
SMT.THUSHARA.K
SMT.DELITA TITUS
SMT.NAMITHA GEORGE

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT OF KERALA,
SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE STATE CO- OPERATIVE ELECTION COMMISSION,
THIRD FLOOR, CO-OPERATIVE BANK TOWERS,
VIKAS BHAVAN P.O,
THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY,
PIN - 695033



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W.P.(C) No.21368/2024 & connected cases

: 53 :

BY ADVS.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



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: 54 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 26270 OF 2024

PETITIONERS:

- 1 A.SASISEKHARAN NAIR,
AGED 67 YEARS,
(MEMBER NO.3164),
CHARUVILA PUTHEN VEEDU,
PRASANTH BHAVAN, CHOWARA,
CHOWARA P.O., THIRUVANANTHAPURAM,
PRESIDENT, KOTTUKAL SERVICE CO-OPERATIVE BANK
LTD. NO.T 196, HEAD OFFICE,
PUNNAKULAM, KOTTUKAL P.O.,
THIRUVANANTHAPURAM, PIN - 695501
- 2 R.MANIKANTAN NAIR,
AGED 68 YEARS,
(MEMBER NO.4327), VAISAKHAM,
CHAPPATH, KOTTUKAL P.O.,
THIRUVANANTHAPURAM, MEMBER,
BOARD OF DIRECTORS, KOTTUKAL SERVICE CO-
OPERATIVE BANK LTD. NO.T 196,
HEAD OFFICE, PUNNAKULAM, KOTTUKAL P.O.,
THIRUVANANTHAPURAM, PIN - 695501
- 3 SARALA KUMARI D.,
AGED 68 YEARS,
(MEMBER NO.5158),
KUMARI SADANAM, PAYATTUVILA,
PAYATTUVILA P.O., THIRUVANANTHAPURAM,
MEMBER, BOARD OF DIRECTORS,
KOTTUKAL SERVICE CO-OPERATIVE BANK LTD. NO.T
196, HEAD OFFICE, PUNNAKULAM,
KOTTUKAL P.O.,
THIRUVANANTHAPURAM, PIN - 695501



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: 55 :

- 4 SREEKUMAR K.,
AGED 61 YEARS
(MEMBER NO.5077),
VIJAYALEKSHMI VILASOM,
VELENTEVILA, KOTTUKAL, KOTTUKAL P.O.,
THIRUVANANTHAPURAM, MEMBER,
BOARD OF DIRECTORS, KOTTUKAL SERVICE CO-
OPERATIVE BANK LTD. NO.T 196,
HEAD OFFICE, PUNNAKULAM, KOTTUKAL P.O.,
THIRUVANANTHAPURAM, PIN - 695501
- 5 SURESH KUMAR M.R.,
AGED 59 YEARS,
(MEMBER NO.5685), ROHINI NIVAS,
VENGAMPOTTA, KAZHIVOOOR P.O.,
THIRUVANANTHAPURAM, MEMBER,
BOARD OF DIRECTORS, KOTTUKAL SERVICE
CO-OPERATIVE BANK LTD. NO.T 196,
HEAD OFFICE, PUNNAKULAM, KOTTUKAL P.O.,
THIRUVANANTHAPURAM, PIN - 695526
- 6 AMBIKA V.,
AGED 62 YEARS,
(MEMBER NO.2754), VAZHAVILA VEEDU,
CHAPPATH, KOTTUKAL P.O.,
THIRUVANANTHAPURAM, MEMBER,
BOARD OF DIRECTORS, KOTTUKAL SERVICE
CO-OPERATIVE BANK LTD. NO.T 196,
HEAD OFFICE, PUNNAKULAM, KOTTUKAL P.O.,
THIRUVANANTHAPURAM, PIN - 695501

BY ADVS.

SRI.S.P.ARAVINDAKSHAN PILLAY

SMT.N.SANTHA

SRI.V.VARGHESE

SRI.PETER JOSE CHRISTO

SRI.S.A.ANAND

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY TO
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001



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: 56 :

2 REGISTRAR OF CO-OPERATIVE SOCIETIES,
OFFICE OF THE REGISTRAR OF CO-OPERATIVE
SOCIETIES, JAWAHAR SAHAKARANA BHAVAN,
DPI JUNCTION, THYCAUD P.O.,
THIRUVANANTHAPURAM, PIN - 695014

BY ADVS.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



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: 57 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 26409 OF 2024

PETITIONERS:

- 1 PUDUKKAD SERVICE COOPERATIVE BANK LTD NO.580,
REPRESENTED BY ITS PRESIDENT,
RAJU T.S. PUDUKKAD, THRISSUR, PIN - 680301
- 2 THE BOARD OF DIRECTORS,
REPRESENTED BY ITS PRESIDENT PUDUKKAD SERVICE
COOPERATIVE BANK LTD NO. 580,
PUDUKKAD, THRISSUR, PIN - 680301

BY ADVS.
SRI.MANU GOVIND
SRI.A.JAYASANKAR

RESPONDENTS:

STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
GOVERNMENT SECRETARIAT,
CO-OPERATION DEPARTMENT,
THIRUVANANTHAPURAM, PIN - 695001

SRI.C.M.NAZAR, SC
SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL
SRI.N.MANOJ KUMAR, STATE ATTORNEY
SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER
SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND CONNECTED
CASES, THE COURT ON 30.10.2024 DELIVERED THE FOLLOWING:



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: 58 :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 28043 OF 2024

PETITIONER:

N.K. JOSEPH,
AGED 75 YEARS,
S/O. LATE KOCHU MATHEW,
PRESIDENT,
KALLETUMKARA SERVICE CO-OPERATIVE BANK LTD
NO.141, CHALAKUDY TALUK,
KALLETUMKARA P.O., THRISSUR,
RESIDING AT NEREPARAMBIL HOUSE,
VALLAKUNNU P.O. KALLETUMKARA,
THRISSUR DISTRICT, PIN - 680683

BY ADVS.
SMT.NISHA GEORGE
SRI.GEORGE POONTHOTTAM (SR.)
SMT.KAVYA VARMA M. M.
SRI.ANSHIN K.K

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
DEPARTMENT OF CO-OPERATION,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001



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: 59 :

3 THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
OFFICE OF THE REGISTRAR OF CO-OPERATIVE
SOCIETIES, JAWAHAR SAHAKARANA BHAVAN,
DPI JUNCTION, THYCAUD P.O.,
THIRUVANANTHAPURAM, PIN - 695014

BY ADVS.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND
CONNECTED CASES, THE COURT ON 30.10.2024 DELIVERED THE
FOLLOWING:



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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE N.NAGARESH

WEDNESDAY, THE 30TH DAY OF OCTOBER 2024/8TH KARTHIKA, 1946

WP(C) NO. 29045 OF 2024

PETITIONER:

PRESIDENT,
THE VENNOOR SERVICE CO-OPERATIVE BANK LTD.
NO.675, MELADOOR P.O,
THRISSUR DISTRICT, PIN-680741,
PRASAD M.B, AGED 62 YEARS,
S/O BALAMENON,
MENOKIL HOUSE,
MELADOOR P.O.,
THRISSUR, PIN - 680741

BY ADVS.
SRI.C.A.JOJO
SRI.JOSEPH ANU A.A.

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001
- 2 THE SECRETARY TO GOVERNMENT,
CO-OPERATIVE DEPARTMENT,
T/C 25/357(4)
GANDHARI AMMAN KOVIL ROAD,
STATU, 7TH FLOOR,
AKSHARAMANDHIRAM,
HEAD POST OFFICE P.O.,
THIRUVANANTHAPURAM,
PIN - 695001



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: 61 :

3 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, PIN - 695014

BY ADVS.

SRI.C.M.NAZAR, SC

SMT.R.LAKSHMI NARAYAN (SR.) (K/292/1989)

SRI.GOPALAKRISHNA KURUP K., ADVOCATE GENERAL

SRI.N.MANOJ KUMAR, STATE ATTORNEY

SRI.P.P.THAJUDHEEN, SPL. GOVERNMENT PLEADER

SRI.IMAM GRIGORIOUS KARAT, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 14.08.2024, ALONG WITH WP(C).21368/2024 AND
CONNECTED CASES, THE COURT ON 30.10.2024 DELIVERED THE
FOLLOWING:



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CR

N. NAGARESH, J.

.....

W.P.(C) Nos.21368, 21464, 21531, 21582, 21629,
 21697, 21796, 22180, 22342, 22428, 22638, 22645,
 22656, 22692, 22740, 23203, 23252, 23325, 23479,
 23565, 23575, 23598, 25011, 25135, 25821, 25896,
 26270, 26409, 28043 and 29045 of 2024

.....

Dated this the 30th day of October, 2024

J U D G M E N T

~ ~ ~ ~ ~

The State Legislature enacted the Kerala Co-operative Societies (Amendment) Act, 2023 (Act 9 of 2024) in order to amend the Kerala Co-operative Societies Act, 1969. The amendments brought about by the Act 9 of 2024 touched various aspects of co-operative institutions including



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share capital contributions, financial status, partnership of Co-operative Societies, reservation of seats and eligibility for election to the Managing Committee, appointment of Administrative Committee, maintenance of accounts, adoption of common accounting software, constitution of a Co-operative Revival Fund Scheme, sanction of loans and advances, valuation of property, purchase of movable and immovable properties by the Societies, power of Government or Registrar to deal with irregularities and a number of other aspects which are important in the administration and governance of Co-operative Societies in Kerala. The petitioners are aggrieved by certain amendments thus effected as per the Act 9 of 2024.

2. The petitioners in these writ petitions are mostly office bearers of Managing Committees of various Co-operative Societies and members of such Societies.

3. The petitioners state that governmental interference in the day-to-day working of the Co-operative Societies is not desirable as Co-operative Societies are essentially



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associations of persons, though regulated by statutory provisions. The administration of a Co-operative Society is controlled by elected members of the Board of the Society. By 97th Amendment Act, 2011 Part IXB was inserted in the Constitution of India. The said amendment was intended to strengthen the co-operative sector across India. The Constitutional amendment was intended to ensure democratic functioning and autonomy of the Co-operative Societies.

4. The petitioners allege that by the Amendment Act 9 of 2024, the State is making an attempt to grab the control of the Co-operative Societies. The provisions contained in the Act 9 of 2024 demonstrate the savage thirst of the State for power, to control and dominate Co-operative Societies. Co-operative institutions are basic fundamental institutions where grassroot level democratic concepts are practised. By amending the Kerala Co-operative Societies Act, 1969 as per Act 9 of 2024, the State is undermining the co-operative principles and democratic governance of the Co-operative



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institutions in Kerala.

5. Referring to the newly enacted Section 14AA, which directs that the share capital contribution or financial assistance to a subsidiary institution shall be met only from the balance net profit of the Society, the petitioners point out that by Section 14AA, an endeavour is made by the Government to control the administration of the Society, which goes against the very concept of autonomy of Co-operative Societies.

6. The addition of sub-section (2A) to Section 28 mandates that no member of the Committee of a Society shall be eligible for election to the Committee for more than three consecutive terms, irrespective of whether the term is in full or in part. The petitioners would argue that such restraint is highly arbitrary and unconstitutional as election to the Managing Committee of a Society is an expression of the will of the Members. Restriction on a Member to be elected as a Member of the Managing Committee, is highly unreasonable and discriminatory.



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7. The petitioners in all these writ petitions are in unison in challenging Section 28(2A). The petitioners point out that in a democratic election, candidates are elected based on acceptance by voters. Preventing members from contesting elections for more than three consecutive terms would amount to intrusive interference in the democratic functioning of the Co-operatives.

8. The petitioners pointed out that the said restraint in contesting in elections are confined to the Credit Societies as defined in the Explanation provided under sub-section (2A). There is no such restraint as far as other Co-operative Societies are concerned. Evidently, Members of certain Societies are discriminated in the matter of election to the Managing Committee. The objective behind the amendment does not appear to be aimed at improving the functioning of Societies.

9. The counsel for the petitioners, relying on the judgment of the Apex Court in ***Andhra Pradesh Dairy***



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Development Corporation Federation v. B. Narasimha Reddy and others [(2011) 9 SCC 286], argued that from the stand point of structure and basic co-operative principles, all co-operative societies, are alike. The impugned provisions are arbitrary and violative of Article 14 as credit societies are treated differently. The amendment obstruct and frustrate the object of the development and growth of vibrant co-operative societies in the State. In the judgment in ***Association for Democratic Reforms and another (Electoral Bond Scheme) v. Union of India and others*** [(2024) 5 SCC 1] the Apex Court reiterated the standard of “manifest arbitrariness”. The Apex Court held that a provision lacks an “adequate determining principle” if the purpose is not in consonance with constitutional values. In applying this standard, courts must make a distinction between the “ostensible purpose”, that is, the purpose which is claimed by the State and the “real purpose”, the purpose identified by courts based on the available material. A provision can be manifestly arbitrary



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even if the provision does not make a classification.

10. The counsel for the petitioners pointed out that in the judgment in ***Pankajaksy and others v. George Mathew and others*** [1987 (2) KLT 723], this Court has held that a legislation can be questioned on the ground that it is unreasonable, unreasonable not in the sense of not being reasonable, but in the sense that it is manifestly arbitrary.

11. By amending Section 32 of the Kerala Co-operative Societies Act, 1969, the Administrative Committees are now empowered to enrol Members to the Society. The amendment would empower the State to alter the composition of the Societies at the whims and fancies of the State. It goes against the fundamentals of Co-operative principles.

12. The petitioners submit that Section 34A has been inserted in the Kerala Co-operative Societies Act and Section 34A mandates that all Co-operative Societies shall prepare and keep the Books of Accounts and Financial Statements in the form in the generally accepted accounting principle for



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preparing Profit and Loss Account and Balance Sheet. Section 34A is a direct intervention by the Government into the working of a Primary Society.

13. Clause (d) has been inserted in Section 56A which requires the Societies to credit 5% of net profit to the Professional Education Fund maintained by the Registrar. The Society or depositors have no control or say in the administration of Professional Education Fund Scheme. It compels the Societies to invest 5% of net profit in a Fund over which the Society has no control and the depositor or investor Society has no guarantee of withdrawal as and when required.

14. Some of the petitioners challenge insertion of new Section 57E which enables the Government to create a Co-operative Revival Fund Scheme. The petitioners state that Section 57E is an excessive delegation. Section 57E would eventually result in liquidation of all Co-operative Societies which are running now on profit.



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15. The petitioners submit that it is essential to organise the Co-operative Societies in accordance with Co-operative principles as self governing democratic institutions, to achieve the objects of equity, social justice and economic development, as envisaged in the Directive Principles of State Policy of the Constitution of India. But, the Act 9 of 2024 explicitly makes an attempt to convert Co-operative Societies into Government Department, which is opposed to the Co-operative principles, as the Government is not expected to meddle with the day-to-day administration of Co-operative Societies.

16. By Section 34A, all Co-operative Societies are directed to prepare and keep the Books of Accounts and Financial Statements in a particular form. Sub-section (3) to Section 34A provides that a Technical Cell with professional and technical team as prescribed shall be established in the office of the Registrar, in consultation with the Government, to inspect the security, reliability, data protection and other aspects connected with software and hardware. The said



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Section 34A(3) amounts to taking over financial control of the Society by the Registrar. The said provision takes away freedom of Societies. The financial autonomy of the Societies will be undermined by Section 34A(3), which in turn would result in total destruction of co-operative movement in Kerala.

17. As regards amendments to Sections 32 and 33, the counsel for the petitioners pointed out that a right is now conferred on the State appointed Administrator to give membership to anyone in the Co-operative Society. It goes against the law laid down by this Court in various judgments. The counsel for the petitioners relied on the judgment of the Hon'ble Apex Court in ***T.K. Porinchu v. Joint Registrar of Co-operative Societies (General) and others [2004 (1) KLT 281]*** to urge that an interim administrator appointed under Section 33 of the Act has no power to enrol new members. As per Section 27 of the Kerala Co-operative Societies Act, the final authority of a Society shall vest in the General body of the Members. Therefore, grant of membership by an



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Administrator or Administrative Committees is obviously a wanton obtrusion into the autonomy of the Co-operative Societies.

18. The counsel for the petitioners, relying on the judgment of the Apex Court in ***Thalappalam Service Co-operative Bank Limited and others v. State of Kerala and others*** [(2013) 16 SCC 82], urged that Section 27 of the Kerala Co-operative Societies Act, 1969 categorically states that the final authority of a Society vests in the General body of its members and every Society is managed by the Managing Committee constituted in terms of the bye-laws as provided under Section 28 of the Kerala Co-operative Societies Act. The final authority is the General body and not the Registrar of Co-operative Societies or State Government. The Societies are, of course, subject to the control of the statutory authorities like Registrar, Joint Registrar, the Government, etc. but it cannot be said that the State exercises any direct or indirect control over the affairs of the Society which is deep and all



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pervasive.

19. The counsel for the petitioners relying on a Division Bench judgment of this Court in ***Hari Hara Krishnan v. State of Kerala*** [2014 (4) KLT 576] argued that the validity of an enactment can be challenged on two grounds; viz., (1) lack of legislative competence and (2) violation of any of the fundamental rights guaranteed in Part III of the Constitution or of any other constitutional provision. In ***State of A.P. and others v. McDowell and Co. and others*** [(1996) 3 SCC 709], the Apex Court has opined that except of the above two grounds there is no third ground on the basis of which the law made by the competent legislature can be invalidated and that grounds of invalidation must necessarily fall within the four corners of the afore mentioned two grounds. If an enactment is challenged as violative of Article 14, it can be struck down if it is found that it is violative of the equality clause / equal protection clause enshrined therein.



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20. The counsel for the petitioners cited the judgment of the Apex Court in ***Indian Aluminium Co. and others v. State of Kerala and others*** [(1996) 7 SCC 637] and pointed out that the legislature cannot indirectly overrule the decision of this Court or make a direction as not binding on it but has power to make the decision ineffectively by removing the base on which the decision was rendered, consistent with the law of the Constitution and the legislature must have competence to do the same.

21. Advocate General appeared on behalf of the State and advanced arguments justifying the amendments brought about as per Act 9 of 2024. On behalf of the respondents, it is urged that the Co-operative sector in Kerala is facing great challenges and the amendments are intended to protect the interest of Co-operatives and to strengthen the Co-operative movement in general in Kerala. None of the provisions in the Amendment Act are illegal or unconstitutional. There were various provisions regulating the functioning of Societies even



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before the amendment.

22. The learned Advocate General relied on the judgment of this Court in ***Abdurahiman P. and others v. State of Kerala and others*** [2020 (4) KLT 763]. In the said judgment, this Court held that Article 19(1)(c) and Article 19(1)(g) of the Constitution recognise rights of citizens to form associations and to practice any trade or business but that does not carry within itself a right to form a society. One has to distinguish the fundamental right available and recognised under Article 19 from the nature of the activity that could be carried out by such citizen.

23. Relying on the judgment of the Hon'ble Apex Court in ***Bhandara District Central Co-operative Bank Limited and others v. State of Maharashtra and another*** [(1993) Suppl 3 SCC 259], the learned Advocate General submitted that there is no restriction on the formation of any association or union. The co-operative societies are free to proceed as they wish without being subjected to any conditions placed



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by the Kerala Co-operative Societies Act. The impugned provisions are attracted only in such cases where the societies are desirous of being registered under the Act, 1969 with a view to take advantage of the provisions thereunder.

24. The Advocate General submitted that classification of Credit Societies for the purpose of Section 28(2A) is amply justified since Credit Societies are taking deposits and lending money to its members. Continued occupation in responsible positions by Managing Committee Members for long duration, may result in the Managing Committee members diluting the conditions for sanctioning of advances etc. Many Co-operative Societies are facing financial crisis in Kerala now due to maladministration. In the circumstances, the legislature felt it necessary to ensure that the Managing Committee of Societies should consist of persons who have not developed vested interest by holding positions in the Managing Committee for long years. Relying on the judgment of the Hon'ble Apex Court in the judgment in ***Zile Singh v. State of Haryana and***



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others [(2004) 8 SCC 1] and **D.K. Yadav v. J.M.A. Industries Limited [(1993) 3 SCC 259]**, the Advocate General asserted that there is no retrospective operation of Section 28(2A) which would render the provision unconstitutional.

25. The learned Advocate General cited the judgment of the Apex Court in **Zile Singh** (supra) and urged that the right to contest an election is neither a fundamental right nor a common law right. It is a right conferred by statute. The statute which confers the right to contest an election can also provide for the necessary qualifications and disqualifications for holding an elective office. Merely because a disqualification is imposed by reference to certain facts which are referable to a date prior to the enactment of disqualification, the Act does not become retrospective in operation.

26. The learned Advocate General argued that in order to sustain the presumption of constitutionality, the court may take into consideration matters of common knowledge, matters



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of common report, the history of the times and may assume every state of facts which can be conceived existing at the time of legislation. The Advocate General relied on the judgment of the Apex Court in ***Shri Ram Krishna Dalmia v. Shri Justice S.R. Tendolkar and others*** [AIR 1958 SC 538], to support his arguments.

27. The Advocate General also relied on the judgment of the Apex Court in ***Javed and others v. State of Haryana and others*** [(2003) 8 SCC 369] to contend that the right to contest an election for any office is neither fundamental nor a common law right.

28. The petitioners are challenging Section 32(2)(ii) and Section 32(4)(ii) based on the judgment in ***Joint Registrar of Co-operative Societies v. T.A. Kuttappan and others*** [2000 KHC 389]. The Hon'ble Apex Court has held that this will not give power to the Administrator to enrol members. Therefore, the provisions in the Amendment Act are within the legislative competence. As regards the challenge to Section 34A relating



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to common software for maintenance of accounts, the Advocate General submitted that data sharing is not expected and therefore there is no question of violation of privacy rights. Furthermore, whether a Co-operative Society has a right to privacy is a moot question, contended the Advocate General.

29. The Advocate General justified the compulsory contribution to the Professional Education Fund. It is pointed out that education is a co-operative principle. There is already a provision for constitution of Co-operative Education Fund by the Registrar and introduction of sub-section (1)(d) to Section 56 is intended to advance co-operative principles. The Advocate General refuted the allegation of the petitioners that the Act 9 of 2024 is a Money Bill which requires assent of the President of India. Article 254 of the Constitution of India provides that if any provision of law made by a State Legislature is repugnant to any provision of a law made by Parliament, which Parliament is competent to enact, or to any provision of an existing law with respect to one of the matters



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enumerated in the Concurrent List, then subject to the provisions of Clause (2), the law made by Parliament, whether passed before or after the law made by the State Legislature shall prevail and the law made by the State Legislature to the extent of repugnancy, shall be void. The Advocate General submitted that the Act 9 of 2024 will not fall within the definition of “Money Bill”. The Advocate General relied on the judgment of the Hon’ble Apex Court in ***Mohd. Saeed Siddiqui v. State of U.P. and others*** [(2014) 11 SCC 415] and ***Yogendra Kumar Jaiswal and others v. State of Bihar and others*** [(2016) 3 SCC 183].

30. I have heard the learned counsel for the petitioners and the learned Senior Counsel appearing at the instance of the petitioners in the writ petitions. I have also heard the learned Advocate General representing the State and the learned Standing Counsel representing the State Co-operative Election Commission.



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31. Challenge to Section 14AA (2A) to (2E)

Section 14AA was introduced in the Kerala Co-operative Societies Act, 1969 with effect from 08.01.2019. Section 14AA provided provisions for promotion of subsidiary institutions for the economic welfare of members. Section 14AA enabled Co-operative Societies to promote one or more subsidiary institutions for the furtherance of stated objects of the Society, with the prior approval of Registrar. The Co-operative Societies were granted statutory right to form subsidiary institutions with the prior approval of the Registrar. Sub-sections (2A) to (2E) added to Section 14AA now as per the Act 9 of 2024 read as follows:

(2A) The share capital contribution or financial assistance to the subsidiary institution shall be met from the balance net profit of the society, as provided under sub-section (2) of section 56 and any further investment in subsidiary institutions from the society/bank other than share capital shall be released as loan as per the norms as may be specified by the Registrar.

(2B) Any society/bank which had availed any financial assistance from Government, shall include nominees of Government of Kerala in the board of directors of the subsidiary institutions, as may be prescribed.



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(2C) The Registrar shall conduct audit, inspection and verification of records in the subsidiary institutions, as may be prescribed.

(2D) Any share capital contribution or financial assistance to the subsidiary institutions from the society/bank shall be allotted with the prior approval of the Registrar based on the resolution passed by the general body of the society/bank concerned.

(2E) Transferring funds or leasing of assets of the society to its subsidiary institutions shall be made with the prior approval of the Government based on the resolution passed by the general body of the society/bank.

32. The amendments made by the Act 9 of 2024 provide that the share capital contribution or financial assistance to the subsidiary institutions shall be met from the balance net profit of the Society and that any further investment in subsidiary institutions from the Society/Bank other than share capital shall be released as loans as per the norms as may be specified by the Registrar. Sub-section (2B) provides that any Society which had availed financial assistance from Government, shall include nominees of Government of Kerala in the Board of Directors of the subsidiary institutions as may be prescribed. The Registrar



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has been granted power to conduct audit, inspection and verification of records in the subsidiary institutions, as per sub-section (2C). As per sub-section (2D), any share capital contribution or financial assistance to the subsidiary institutions can be made only with the prior approval of the Registrar and based on the resolution passed by the General body of the Society. Transferring funds or leasing of assets of a Society to its subsidiary institutions can be made only with the prior approval of the Government and based on the resolution passed by the General body, in view of sub-section (2E).

33. Co-operative Societies are formed for the benefit of its members through economic co-operation. Such Societies are formed with specific aims and objectives laid down in the bye-laws of the Society. Running commercial ventures even though it is intended to achieve objects of the Society, may result in burdening the Society with unwarranted debt liabilities. Therefore, regulation of investments by a Co-operative Society in subsidiary institutions would be only in the



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interest of members of the Society. Section 14AA(2A) therefore requires that the share capital contribution or financial assistance to the subsidiary institutions shall be met from the balance net profit of the Society and any further investment in subsidiary institutions from the Society/Bank other than share capital shall be released as loan as per the norms as may be specified by the Registrar. The provision that share capital contribution / financial assistance to the subsidiary institution shall be met only from the balance net profit of the Society, is intended to ensure that the Societies and the members thereof are not subjected to unnecessary financial risk or burden.

34. If a Society or Bank has availed any financial assistance from Government, it is legitimate that the Government expects that the Board of Directors are functioning strictly as per rules and are following sound business principles to achieve the aims and objectives of the Society. In order to ensure that the Board of Directors are



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functioning within the ambit of law and are not taking such decision so as to put the Society in financial difficulties, as per Section 14AA(2B), the State has required that such Societies shall include nominees of Government of Kerala in the Board of Directors. It is in effect a condition for availing financial assistance from Government. Such statutory condition cannot be said to be arbitrary or illegal.

35. Under Section 66 of the Kerala Co-operative Societies Act, 1969, the Registrar of Co-operative Societies has power to order supervision and inspection in respect of the working of any Society as frequently as he may consider necessary, including inspection of the books of the Society. When such Societies invest in subsidiaries, it is only just and proper that the powers of the Registrar to conduct audit inspection and verification of records is extended to the subsidiary institutions as well. Enactment of Section 14AA(2C) is therefore justified. For the very same reason, sub-section (2D) requiring prior approval of the Registrar before making



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share capital contribution or financial assistance to the subsidiary institutions is justified. Sub-section (2E) which requires prior approval of the Government for transferring funds or leasing of assets of the Society to its subsidiary institutions is also intended to protect the assets and interests of the Society. These provisions cannot be described as controlling the affairs of the Society or taking away autonomy of Societies. I do not find any illegality in incorporating sub-sections (2A) to (2E) in Section 14AA of the Kerala Co-operative Societies Act, 1969.

36. Challenge to Section 28(2A)

Section 28 of the Kerala Co-operative Societies Act, 1969 makes provisions for constitution of Committee for the management of the affairs of the Society. The Section provides that the General body of a Society shall constitute a Committee, for a period of five years, in accordance with the bye-laws and entrust the Management of the affairs of the Society to such Committee. Sub-section (2A) which is



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incorporated by addition as per the Act 9 of 2024 reads as follows:

(2A) Notwithstanding anything to the contrary contained in the Act, rules or in the bye-laws of a credit society, no member of the Committee of a society shall be eligible for election to the Committee for more than three consecutive terms, irrespective of whether the term is in full or in part.

Explanation — For the purpose of this sub-section, “credit society” means the Kerala State Co-operative Bank Limited, Primary Agricultural Credit Societies, Service Co-operative Banks, Regional Co-operative Banks, Rural Banks, Farmer's Service Co-operative Banks, Urban Co-operative Banks, The Kerala State Co-operative Agricultural and Rural Development Bank Limited, Primary Co-operative Agricultural and Rural Development Bank, Urban Co-operative Societies, Agricultural Improvement Co-operative Societies, Employees Credit Societies, Rural Co-operative Societies, Primary Housing Co-operative Societies and Kerala State Housing Federation.

By the said amendment, Members of Managing Committees of Societies are restrained from contesting in the election to the Managing Committees for more than three consecutive terms, irrespective of whether the term is in full or in part.

37. Going by Section 28(2A), such restraint will apply only to the members of a Credit Society. The explanation under Section 28(2A) defines the term “Credit Society” to



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mean the Kerala State Co-operative Bank Limited, Primary Agricultural Credit Societies, Service Co-operative Banks, Regional Co-operative Banks, Rural Banks, Farmers Service Co-operative Banks, Urban Co-operative Banks, the Kerala State Co-operative Agricultural and Rural Development Bank Limited, Primary Co-operative Agricultural and Rural Development Bank, Urban Co-operative Societies, Agricultural Improvement Co-operative Societies, Employees Credit Societies, Rural Co-operative Societies, Primary Housing Co-operative Societies and Kerala State Housing Federation.

38. Article 19 of the Constitution of India protects certain rights regarding freedom of speech, etc. By virtue of the Constitution (97th Amendment) Act, 2011 under Article 19(1)(c), the words co-operative societies are added. Article 19(1)(c) reads as under:

19. Protection of certain rights regarding freedom of speech, etc. -

(1) All citizens shall have the right -

(c) to form associations or unions or co-operative societies.



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Article 19(1)(c) therefore guarantees the freedom to form associations, unions and co-operative societies. The right to form a co-operative society is, therefore, raised to the level of a fundamental right, guaranteed under the Constitution of India.

39. The newly inserted Article 43-B of the Constitution provides that the State shall endeavour to promote voluntary formation, autonomous functioning, democratic control and professional management of co-operative societies. By virtue of the above said amendment, Part IXB was also inserted containing Articles 243-ZH to 243-ZT. The co-operative societies are, however, not treated as units of self government, like Panchayats and Municipalities. It has been held so by the Hon'ble Apex Court in ***Thalappalam Service Co-operative Bank Limited and others*** (supra).

40. The Apex Court in the judgment in ***Association for Democratic Reforms and another (Electoral Bond Scheme)*** (supra) has held that it is now a settled position of



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law that a statute can be challenged on the ground that it is manifestly arbitrary and that the courts while testing the validity of a law on the ground of manifest arbitrariness have to determine if the statute is capricious, irrational and without adequate determining principle, or something which is excessive and disproportionate.

41. After the Constitution (97th Amendment) Act, 2011 which came into with effect from 15.02.2012, the promotion of Co-operative Societies is a Directive Principle of State policy. Article 43-B of the Constitution mandates that the State shall endeavour to promote voluntary promotion, autonomous functioning, democratic control and professional management of Co-operative Societies. Promotion of Co-operative Societies being a directive principle now, any steps taken by the State shall ensure and satisfy the requirements contained in Article 43-B. Autonomous functioning and democratic control are key words used in Article 43-B. Autonomous functioning means the ability of a person or body of persons to



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perform independently the various tasks required by the person / body of persons. Autonomous functioning contemplates members of the Society complete essential tasks of their position without direct supervision or oversight.

42. The statements of objects and reasons of the 97th amendment of the Constitution states that a strong need has been felt for amending the Constitution so as to keep the co-operatives free from unnecessary outside interferences and also to ensure their autonomous organisational set up and their democratic functioning.

43. Part IX-B has been inserted by the Constitution (97th Amendment) Act, 2011. Article 243-ZI relates to incorporation of Co-operative Societies. Article 243-ZI provides that the Legislature of a State may, by law, make provisions with respect to the incorporation, regulation and winding up of Co-operative Societies based on the principles of voluntary formation, democratic member-control, member-economic participation and autonomous functioning. Article 243-ZK



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provides for election of members to the Board of Co-operative Societies. Article 243-ZK(1) provides that notwithstanding anything contained in any law made by the Legislature of the State, the election of a Board shall be conducted before the expiry of the term of the Board so as to ensure that newly elected members of the Board assume office immediately on the expiry of the term of the office of members of the outgoing Board. Article 243-ZK(2) provides that the superintendence, direction and control of the preparation of electoral rolls for, and the conduct of all elections to a Co-operative Society shall vest in such an authority or Body, as may be provided by the Legislature of a State, by law. The proviso to Article 243-ZK empowers the legislatures of State to provide for the procedure and guidelines for the conduct of such elections.

44. It is the mandate of Article 243-ZI that any law made by the Legislature of a State for incorporation, regulation and winding up of Co-operative Societies should be based on the principles of voluntary formation, democratic member-control,



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member-economic participation and autonomous functioning. Though Article 243-ZK empowers Legislatures of States to constitute an Authority or Body for the conduct of elections to the Co-operative Societies, the Article provides that law that may be made by the Legislature for conduct of elections may provide for the procedure and guidelines for the conduct of such elections. The Constitution of India requires the State only to prescribe procedure and guidelines for the conduct of such election.

45. The words “autonomous functioning” appearing in Article 243-ZI would necessarily mean that the State intervention in the functioning of Co-operative Societies should be minimal. The powers granted under Article 243-ZI to make laws is confined to incorporation, regulation and winding up of Co-operative Societies. Prescribing arbitrary eligibility conditions for participating in election to the Managing Committee of Co-operative Societies would amount to interference with the autonomous functioning of Co-operative



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Societies.

46. Electing a Managing Committee to administer the Society is one of the important functions which is to be discharged by the members of the Society. The law assumes that members of the Society are competent to decide who among the members of the Society would be able to manage the affairs of the Society most effectively. When the State puts conditions of eligibility on members of the Society to be being elected to the Managing Committee, such conditions should be conducive to the autonomous functioning of the Society based on democratic control as contemplated by Article 43-B.

47. In the judgment in ***Pravinsinh Indrasinh Mahida v. State of Gujarat*** [2021 SCC Online Guj 1293], a Division Bench of the Hon'ble High Court of Gujarat held that a legislation can be discriminatory when it does not disclose any object which could be said to be reasonable or in public interest, and secondly, the differentiation, which is sought to be made, has no nexus with the object sought to be achieved.



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The object and reason behind the amendment as is evident from the pleading and arguments of the respondents, is to save vested interest in the management of the Co-operative Societies.

48. The Hon'ble High Court of Gujarat held in ***Pravinsinh Indrasinh Mahida*** (supra) that in order to strike down a delegated legislation as arbitrary, it has to be established that the same is manifestly arbitrary. The expression “arbitrary” means in an unreasonable manner, as fixed or done capriciously or at pleasure, without adequate determining principle, not founded in the nature of things, non rational, not done or acting according to reason or judgment, depending on the will alone.

49. The restraint imposed by the addition of Section 28(2A) on members being elected to the Committee again after three consecutive terms, presumably is intended to avert any vested interest being developed among the Members of the Committee due to long tenure in office. It is true that on



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the Executive side of the State, tenure restrictions are prescribed by executive orders and administrative instructions by which Government Servants are restrained from continuing in one territorial area for more than the tenures fixed. Such tenure restrictions are fixed in order to avert possibility of developing vested interest in any territorial area. However, members of Co-operative Societies who are elected to hold positions in the Managing Committee cannot be treated at par with Government servants. Members of the Managing Committee of a Co-operative Society holds a position where they are imposed with the responsibility of taking important decisions in the administration of the Society. Longer experience gained by such persons would only be beneficial to the Co-operative Society and its members.

50. Co-operative Societies being institutions functioning autonomously, such anxieties of vested interest should be best left to be confronted by the General body of Members itself. If the General body of a Society feels that long continuance of



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Members in the Managing Committee would adversely affect the management and affairs of the Society, the General body can incorporate such conditions in the bye-laws of the Society. When State imposes such restraint, it would indeed amount to interference with the autonomy of the Societies and interference with the right of the General body of a Society to elect best among its Members to the Managing Committee.

51. The Societies are expected to function in a democratic manner. The term “democratic control” appearing in Article 43-B does not mean that State shall control the Societies on the basis of majority opinion of the Legislature or of any other external Bodies. The term “democratic control” in Article 43-B contemplates that Societies should be functioning in a democratic manner and the State shall strive to ensure that the Societies are run in a democratic manner. When the Legislature makes arbitrary rules regulating the conditions and qualifications for being elected to the Managing Committee of a Co-operative Society, that would indeed be an affront to the



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right of the members of the Society to run the Society in a democratic manner. It is to be noted that the credentials of Co-operative Societies, which are mostly functioning in rural and semi urban areas in Kerala, depend on the trustworthiness of the Members of the Managing Committee of the Societies.

52. In ***Krishnamoorthy v. Sivakumar and others*** [(2015) 3 SCC 467], the Apex Court quoted the judgment of Privy Council in ***King Emperor v. Sibnath Banerji and othes*** [AIR 1945 PC 156] and held that freedom in the exercise of the judgment which engulfs a voter's right, a free choice, in selecting the candidate whom he believes to be best fitted to represent the Constituency, has to be given due weightage. The Hon'ble Apex Court in ***Jyoti Basu and others v. Debi Ghosal and others*** [(1982) 1 SCC 691] held as follows:

7. The nature of the right to elect, the right to be elected and the right to dispute an election and the scheme of the Constitutional and statutory provisions in relation to these rights have been explained by the Court in *N.P. Ponnuswami v. Returning Officer, Namakkal Constituency* and *Jagan Nath v. Jaswant Singh*. We proceed to state what we have gleaned from what has been said, so much as necessary for



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this case.

8. A right to elect, fundamental though it is to democracy, is, anomalously enough, neither a fundamental right nor a Common Law Right. It is pure and simple, a statutory right. So is the right to be elected. So is the right to dispute an election. Outside of statute, there is no right to elect, no right to be elected and no right to dispute an election. Statutory creations they are, and therefore, subject to statutory limitation. An Election petition is not an action at Common Law, nor in equity. It is a statutory proceeding to which neither the Common Law nor the principles of Equity apply but only those rules which the statute makes and applies. It is a special jurisdiction, and a special jurisdiction has always to be exercised in accordance with the statute creating it. Concepts familiar to Common Law and Equity must remain strangers to Election Law unless statutorily embodied.

The afore view has been reiterated by the Apex Court in the judgment in ***Arikala Narasa Reddy v. Venkata Ram Reddy Reddygari and another*** [(2014) 5 SCC 312].

53. It may be noted that the cases where it has been held that right to be elected is not a statutory or common law right are cases relating to election to bodies which are creature of statutes. As far as private bodies / organisations are concerned, the right to contest in elections will be governed by



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their own rules. Even if functioning of such bodies are regulated by the Government through statutes, the State cannot interfere with the democratic functioning of such bodies imposing arbitrary conditions for eligibility to contest in elections.

54. There cannot be a legal assumption or invariable rule that members being elected to the Managing Committee of a Co-operative Society would develop vested interest and they will be incompetent to have their say in the management and affairs of a Co-operative Society. Such restraint is not existing in any other democratic institutions like Parliament / State Legislatures or even in Local Self Government Institutions governed by Panchayat Raj Act. There cannot be a blanket assumption that members being elected to Managing Committee repeatedly and continuously will act to the detriment of the Societies. Even if there is likelihood of developing vested interest, being a democratically functioning institution, it is for the Members / General body of a Co-



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operative Society to address such issues.

55. Furthermore, the restraint on a Member of the Committee of the Society being elected consecutively for the fourth term is imposed only on Credit Societies as defined under the Explanation given below Section 28(2A). If a Member being elected to the Managing Committee of any other Society for the fourth consecutive term, will not develop vested interest, then there need not be a distinction between Credit Societies and other Societies. The State is constitutionally bound to endeavour to promote all Co-operative Societies irrespective of whether such Societies are Credit Societies or not. Section 28(2A) is therefore highly arbitrary and grossly discriminatory.

56. Section 28(2A) added to the Kerala Co-operative Societies Act, 1969 by the Act 9 of 2024 therefore is irrational and manifestly arbitrary. Section 28(A) cannot stand the scrutiny of Article 14 of the Constitution of India. Section 28(2A) is therefore declared as illegal and unconstitutional.



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57. **Challenge to Section 33**

Section 33 as it existed prior to the amendment reads as follows:

33. Appointment of new committee or administrator on failure to constitute committee, etc. -

(1) Where the term of office of a committee has expired and a new committee has not been constituted, or where a no-confidence motion is passed by the general body against the existing committee or where the existing committee resigns enbloc or where vacancies occur in the committee either by resignation or otherwise and the number of remaining members cannot constitute the quorum for the meeting of the committee, or where the committee fails to hold its regular meeting consecutively for six months or where the Registrar is satisfied.

(a) that a new committee cannot be constituted before the expiry of the term of office of the existing committee; or

(aa) there is stalemate in the constitution or functions of the committee;

(b) that a new committee is prevented from entering upon office, or a new committee fails to enter upon office, on the date on which the term of office of the existing committee expires, the Registrar may, either suo motu or on the application of any member of the society, after intimating the Circle Co-operative Union, appoint one administrator or an administrative committee consisting of not more than three individuals, who need not be members of the society, one among them as convener to manage the affairs of the society, for a period not exceeding six months as may be



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specified in the order, which period may, at the discretion of the Registrar and for reasons to be recorded in writing, be extended, from time to time, so, however, that the aggregate period shall not, in any case, exceed one year or till a new committee enters upon office, whichever is earlier.

Provided that before making such order, the Registrar shall publish a notice on the notice board of the head office of the society inviting objections to the making of the order within a period specified in the notice and consider such objections.

Provided further that it shall not be necessary to publish such notice in cases where the Registrar is satisfied that it is not reasonably practicable to do so.

Provided also that, where a committee, administrator or administrators, as the case may be, is in office at the commencement of the Kerala Co-operative Societies (Amendment) Act 1992, the Registrar may extend the term of such committee administrator or administrators, as the case may be, for a further period not exceeding one year from the date of such commencement.

Explanation - For the purposes of this sub-section a tender of resignation by a member of the committee shall have the effect of terminating his membership from the committee.

(1A) Notwithstanding anything contained in sub-section (1), where on receipt of a report from the Registrar, the Government are satisfied that a new committee cannot be constituted or cannot enter upon office of a society before the expiry of the term of office of the administrator or administrative committee], as the case may be, appointed by the Registrar under sub section (1) and that it is necessary in the public interest to manage the affairs of the society and to enable a new elected committee to enter upon office, the Government may, by notification in the Gazette, for reasons to be recorded, permit the Registrar to extend the terms of



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the said administrator or administrative committee, as the case may be, for a further period not exceeding one year in the aggregate or till a new committee enters upon office, whichever is earlier.

(2) The administrator or administrative committee appointed under sub-sections (1) and (1A) shall, subject to the control of the Registrar and to such instructions as he may from time to time give, have power to exercise all or any of the powers and functions of the committee or of any officer of the society and take all such action as may be required in the interests of the society.

(3) The administrator or administrative committee shall arrange for the constitution of a new committee or for the entering upon office of the new committee, as the case may be.

58. Section 33 of the Kerala Co-operative Societies Act, 1969 relates to appointment of new Committee or Administrator on failure to constitute Committee, etc. Section 33 provides that where the term of office of a Committee has expired and a new Committee has not been constituted, or where a No Confidence Motion is passed by the General Body against the existing Committee or where the existing Committee resigns enbloc or where vacancies occur in the Committee and the number of remaining members cannot constitute the quorum for the meeting of the Committee or



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where the Committee fails to hold its regular meeting consecutively for six months or where the Registrar is satisfied

(a) that a new Committee cannot be constituted before the expiry of the term of office of the existing Committee; or

(aa) there is stalemate in the constitution or functions of the Committee;

(b) that a new Committee is prevented from entering upon office or a new Committee fails to enter upon office, on the date on which the term of office of the existing Committee expires

the Registrar may appoint one Administrator or an Administrative Committee consisting of not more than three individuals, who need not be member of the Society.

59. Amendment to Section 33 effected by the Act 9 of 2024 is as follows:-

(i) in sub-section (1), in clause (b), for the words “who need not be members of the society”, the words “who shall be from among the members of the society” shall be substituted.

(ii) in sub-section (2),—

(a) after the words “any officer of the society”,



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the words “including enrollment of members” shall be inserted;

(b) the following sentence shall be inserted at the end, namely:—

“The members so enrolled shall not have voting right unless an elected Committee ratifies such membership and if the Committee does not ratify any such membership, shall specify the reasons thereof for such denial.”

Section 33 provides that appointment of such Administrator or Administrative Committee should be for a period not exceeding six months, which period may be extended at the discretion of the Registrar and for reasons to be recorded in writing. The aggregate period of an Administrator or an Administrative Committee shall not in any case exceed one year or till a new Committee enters upon office whichever is earlier.

60. There were wide spread complaints in the matter of appointment of Administrator or Administrative Committee by the Registrar, as many a time the Administrator or members of the Administrative Committee appointed by the Registrar were not members of the Co-operative Society. Neither the Act nor



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the Rules made thereunder prescribed any qualification for being appointed as Administrator or Administrative Committee. If individuals, who are not otherwise concerned with the functioning or well being of a Co-operative Society, are appointed as Administrators or Administrative Committee members, that would indeed be a matter of considerable concern for the members of the Society.

61. If, for some reason, a democratically elected Managing Committee so elected by the members of Co-operative Society cannot assume office, will it be justifiable for the State to constitute an Administrative Committee, the members of which are not members of the Society ? Brining outsiders to run the Society would indeed be against the principles of democracy. It is this factor which weighed with the legislature in bringing amendment to Section 33(1)(b). With the amendment now effected, only members of the Society can be included in the Administrative Committee.



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62. The petitioners are, however, challenging the additional power given to the Administrator / Administrative Committee to enrol members to the Society. But, the amendment provides that the members so enrolled by the Administrative Committee shall not have voting right unless an elected Committee ratifies such membership and if the Committee does not ratify any such membership, the elected Committee shall specify the reasons for such denial.

63. In the judgment in ***Joint Registrar of Co-operative Societies v. T.A. Kuttappan*** [(2000) 6 SCC 127], the Hon'ble Apex Court held that the question whether an administrator appointed during supersession of a Committee or Management of a Co-operative Society can enrol new members is no longer *res integra* and Administrator or Administrators is/are not vested with power to enrol new members of the Society, as per the provisions of the Act. The Hon'ble Apex Court held that enrolment of new members would involve alteration of the composition of the society itself



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and such a power should be exercised by an elected Committee rather than by an Administrator or a Committee appointed by the Registrar while the Committee of Management is under supersession.

64. Enrolment of members in a Society is a continuous process and is part of the day-to-day administrative affairs of the Managing Committee of a Society. Therefore, in the place of the Managing Committee, if an Administrative Committee is appointed and functioning, such Committee shall necessarily be given power to enrol members. As per Section 33(2) of the Kerala Co-operative Societies Act, 1969, an Administrator or Administrative Committee shall have power to exercise all or any of the powers and functions of the Committee or of any other officers of the Society and take action in the interest of the Society. However, to curb artificial enrolment of members in the Society to manipulate the outcome of election to the Managing Committee, provision has been made that members enrolled by Administrative Committee shall not have voting



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right unless an elected Committee ratify such membership. As enrolment of members by an Administrative Committee would be subject to ratification by an elected Committee, I do not find any illegality in the amended Section 33(2). Therefore, the challenge to the amendment to Section 33 contained in the Act is only to be rejected.

65. Challenge to Section 34A

The further challenge by the petitioners is on Section 34A introduced by the Act 9 of 2024. Section 34A reads as follows:

34A. Maintenance of accounts and adoption of common software —

(1) All co-operative societies shall prepare and keep the books of accounts and financial statements in the form in the generally accepted accounting principle for preparing profit and loss account and balance sheet, which enable double entry book keeping system, as may be prescribed.

(2) The Registrar shall issue necessary guidelines for installation, maintenance and use of common software to all co-operative societies, as may be prescribed.

(3) A technical cell with professional and technical team as prescribed shall be established in the office



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of the Registrar, in consultation with the Government, to inspect the security, reliability, data protection and other aspects connected with software and hardware.

66. Section 34A requires that all Co-operative Societies shall prepare and keep the Books of Accounts and the Financial Statements in the Form in the generally accepted accounting principle for preparing Profit and Loss Account and Balance Sheet, which enable double entry book keeping system as may be prescribed. The petitioners cannot have any legal grievance in respect of the requirement to prepare and keep Books of Accounts following the generally accepted accounting principle.

67. The grievance of the petitioners in these writ petitions is more on sub-clause (3) of Section 34A which provides that a Technical Cell with professional and technical team as prescribed shall be established in the office of the Registrar, in consultation with the Government, to inspect the security, reliability, data protection and other aspects connected with software and hardware. The apprehension of



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the petitioners is that constitution of such a Technical Cell is likely to affect the right to privacy of the members of the Society.

68. From sub-section (3), one cannot legally presume that the Technical Cell sought to be constituted under sub-section (3) of Section 34A is intended to collect data of financial transactions of Co-operative Societies at a centralised centre, under the control of the Registrar. Sub-section (3) is intended to inspect the security, reliability, data protection and other aspects connected with software and hardware. As pointed out by the Advocate General, the sub-section (3) does not prescribe or contemplate data sharing. Ensuring security, reliability and data protection by Registrar cannot be termed as interference with the affairs of co-operative societies. The challenge against Section 34A is therefore only to be repelled.

69. Challenge to Section 56(1)(d)

Section 56 of the Kerala Co-operative Societies Act,



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1969 provides for disposal of net profit earned by a Society. Section 56(1) as it stood earlier provided for transfer of an amount, not less than 15% to the reserve fund. The Section also contemplated crediting a portion of the net profits to the Co-operative Education Fund. Sub-section (1)(c) provided that 10% of the net profit is to be transferred to the Co-operative Member Relief Fund, as may be prescribed. The newly added sub-section (1)(d) provided for crediting 5% of net profit to the Professional Education Fund maintained by the Registrar.

70. Section 56(1) statutorily restricts disbursing the funds of a Society other than net profits. 'Education' is one of the co-operative principles as defined under Section 2(eccc) of the Kerala Co-operative Societies Act, 1969 and it is included as a co-operative principle in the Schedule II to the Act, 1969. Therefore, I do not find any reason to hold that amendment to Section 56(1) by inserting sub-section (d) is in any manner arbitrary or illegal.



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71. **Challenge to Section 57C**

Sections 57, 57A, 57B, 57C and 57D of the Kerala Co-operative Societies Act, 1969 deal with investment of funds including Co-operative Development and Welfare Fund, Deposit Guarantee Scheme, Consortium Lending Scheme and Co-operative Risk Fund Scheme. Section 57C which provides for Consortium Lending Scheme reads as follows:

57C. Consortium Lending Scheme -

(1) The Government may, by notification in the Gazette, frame a scheme to be called the "Consortium Lending Scheme" for the purpose of providing loans for infrastructure development to societies, local authorities, development authorities or similar institutions on Government guarantee subject to such terms and conditions, as may be specified in the said scheme.

(2) A society may contribute to the Consortium Lending Scheme, at such rates, as may be specified in the scheme.

72. The Act 9 of 2024 amended Section 57C by inserting the words "public purpose and for" after the words "providing loans for" in sub-section (1) of Section 57C. Prior to the amendment, the Consortium Lending Scheme could have provided loans only for infrastructure development to societies,



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local authorities, development authorities or similar institutions on Government guarantee. The Consortium Lending Scheme could not have been utilised for any other public purpose than for infrastructure development. The amendment to Section 57C liberalised the Scheme enabling lending for public purposes as well.

73. The concern of the petitioners is that when the funds are invested for public purpose, there is high chance for misuse and misappropriation of the fund. The petitioners urged that therefore Section 57C should be treated as arbitrary and illegal.

74. "Concern for community" is one of the co-operative principles included in Schedule II to the Kerala Co-operative Societies Act, 1969. Therefore, when a need arises to spend funds for public purpose, the co-operative societies should be able to contribute. The Societies make only small contributions to the Consortium Lending Scheme. Expenditure for projects involving public purpose can now be met under the



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Consortium Lending Scheme. This will not in any manner affect the financial strength of Co-operative Societies. Mere possibility of misuse of funds cannot be a reason not to utilise the Scheme for public purposes. Utilisation of funds for public purpose would be in accordance with co-operative principles enumerated in the Act 1969. Therefore, I do not find any illegality or arbitrariness in the amendment made to Section 57C.

75. Challenge to Section 57E

Section 57E inserted by the Act 9 of 2024 reads as follows:

57E. Co-operative Revival Fund Scheme —

(1) The Government may, by notification in the Gazette, frame a scheme to be called “the Co-operative Revival Fund Scheme” for establishing a fund for the purpose of reviving societies which are weaker or remain in dormant position due to certain extraordinary situation by providing financial assistance subject to such terms and conditions to be specified in the scheme and shall be administered in such manner as may be prescribed.

(2) There shall be earmarked to the fund,—

(a) an amount which is not more than fifty percent of the reserve fund, referred to in clause (a) of sub-section (1) of section 56; and



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(b) not more than fifty per cent of the Agriculture Credit Stabilization Fund set apart by Agricultural Credit Societies from their net profit; as and when required;

(c) such fund that may be granted by Government from time to time; and

(d) any other amount which under the provisions of the scheme may be credited to the fund.

76. Section 57E contemplates constitution of a Co-operative Revival Fund Scheme and provides that an amount which is not more than 50% of the Reserve Fund shall be earmarked for the Co-operative Revival Fund Scheme. Section 57(2)(b) provides that not more than 50% of the Agricultural Credit Stabilisation Fund set apart by Agricultural Credit Societies from their net profits shall be earmarked for the Co-operative Revival Fund Scheme.

77. Reserve Fund under Section 56(1)(b) are set apart for utilising during financial crisis of a Society. Huge Reserve Funds are available as of now with the Government. Taking into consideration the fact that certain Co-operative Societies in the State are facing financial crisis, the Government has decided to frame a Co-operative Revival Fund Scheme for the



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purpose of reviving Societies which are weaker or remaining in dormant position due to extraordinary situation, subject to such terms and conditions that may be prescribed.

78. “Co-operation among Co-operative Societies” is one of the important co-operative principles included in Schedule II of the Kerala Co-operative Societies Act, 1969. The Co-operative Societies in Kerala therefore have an obligation towards other co-operative societies. Section 57E is a provision satisfying the basic co-operative principles. As the objective of the Co-operative Revival Fund Scheme is laudable and is in consonance with the co-operative principles enumerated in Schedule II to the Kerala Co-operative Societies Act, 1969, the creation of Co-operative Revival Fund by inserting Section 57E is legally justified. The challenge against Section 57E is therefore liable to be defenestrated.

79. Challenge to Section 64 (1A) to (1C)

Section 64 of the Kerala Co-operative Societies Act, 1969 deals with scope of audit, powers of the Director of Co-



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operative Audit and procedure for audit. The Act 9 of 2024 has inserted sub-clauses (1A) to (1C) in Section 64. Section 64(1A) to (1C) reads as follows:

(1A) In the case of co-operative societies whose accounts are prepared using a common software or any other software approved by the Registrar, the audit includes the audit of information system and evaluation of software as well as hardware.

(1B) If during the audit of information system and evaluation of software and hardware, any manipulation of records or manipulation in the working of the software or hardware is revealed, the auditor/auditors/audit firms shall inform the manipulations to the Director of Co-operative Audit and the Registrar.

(1C) The Registrar himself, or the Director of Co-operative Audit in consultation with the Registrar shall inform the manipulations in the system to the Police or Vigilance officer, as the case may be, for investigation.

80. Section 64(1A) states that in the case of Co-operative Societies whose accounts are prepared using common software or any other software approved by the Registrar, the audit includes the audit of information system and evaluation of software as well as hardware. Sub-section (1B) provides that if during the audit, any manipulation of



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records or manipulation in the working of the software or hardware is revealed, the Auditors or Auditors' Firms shall inform the manipulations to the Director of Co-operative Audits and the Registrar. Sub-section (1C) provides that the Registrar or the Director of Co-operative Audits in consultation with the Registrar shall inform the manipulations in the system to the Police or Vigilance Officer for investigation.

81. The provisions under Section 64(1A) to (1C) are intended to maintain and streamline the software system of Co-operative Societies and evaluation of software and hardware. For the effective utilisation of advancement in Information Technology and for accurate maintenance of accounts of Societies, it is necessary that the information system, software as well as hardware, is audited properly. In many rural areas where Co-operative Societies are functioning, availability of competent persons who can audit information system may not be easy. Such audit by the Director of Co-operative Audit would only benefit the Co-



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operative Societies generally and those in rural areas particularly.

82. Manipulations in the working of software and hardware are not often easy to detect. Delay in detecting such manipulation would be disastrous to the financial strength of Co-operative Societies. Therefore, if such manipulations are detected during audit, it is necessary that the Director of Co-operative Audit and the Registrar are informed of such manipulation and the matter is revealed to the police or vigilance officer for prompt vigilance/criminal investigation. The amendment to Section 64 effected by adding sub-section (1A) to (1C) is therefore perfectly legal and justified.

83. Whether the Act 9 of 2024 is a Money Bill

As regards the argument of the petitioners that the amendment Act 9/2024 is a money bill, it is to be noted that the Hon'ble Apex Court in the judgment in ***Mohd. Saeed Siddiqui*** (supra) has held that even if it is established that there was some infirmity in the procedure in the enactment of the



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Amendment Act, in terms of Article 255 of the Constitution, the matter of procedure do not render invalid an Act to which assent has been given by the President or Governor as the case may be. The validity of the proceedings inside the legislature of a State cannot be called in question on the allegation that the procedure laid down by the law has not been strictly followed and that no court can go into those questions which are within the special jurisdiction of the legislature itself, which has the power to conduct its own business.

84. For the reasons stated hereinabove, the writ petitions are disposed of as follows:

(1) Section 28(2A) incorporated in the Kerala Co-operative Societies Act, 1969 by the Amendment Act 9 of 2024 is declared as illegal, against the co-operative principle of Democratic Member Control, and unconstitutional.



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(2) The challenges made by the writ petitioners in respect of all other amendments are repelled.

Sd/-
N. NAGARESH, JUDGE

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APPENDIX OF WP(C) 21368/2024

PETITIONERS' EXHIBITS:

- Exhibit P1 A TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2023 (ACT 9 OF 2024) BEARING NOTIFICATION NO. 142/LEG.H2/2022/LAW DATED 07TH JUNE 2024 PUBLISHED IN THE GAZETTE.
- Exhibit P2 A TRUE COPY OF THE GOVERNMENT ORDER BEARING G.O.(P)NO.53/2024/CO-OP DATED 19.03.2024 PUBLISHED IN THE GAZETTE.
- Exhibit P3 A COPY OF THE ELECTION NOTIFICATION BEARING NO. 01/92/2024/E(2) S.C.E.C DATED 08.06.2024 ISSUED BY THE STATE CO-OPERATIVE ELECTION COMMISSION.



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W.P.(C) No.21368/2024 & connected cases

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APPENDIX OF WP (C) 21464/2024

PETITIONERS' EXHIBITS:

- Exhibit P1 A TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2023 (ACT 9 OF 2024) BEARING NOTIFICATION NO. 142/LEG.H2/2022/LAW DATED 07TH JUNE 2024 PUBLISHED IN THE GAZETTE.
- Exhibit P2 A TRUE COPY OF THE GOVERNMENT ORDER BEARING G.O.(P)NO. 53/2024/CO-OP DATED 19.03.2024 PUBLISHED IN THE GAZETTE,
- Exhibit P3 A COPY OF THE ELECTION NOTIFICATION BEARING NO. 01/104/2024/E(2) S.C.E.C DATED 09.06.2024 ISSUED BY THE STATE CO-OPERATIVE ELECTION COMMISSION.



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W.P.(C) No.21368/2024 & connected cases

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APPENDIX OF WP(C) 21531/2024

PETITIONERS' EXHIBITS:

- Exhibit -P1 A TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2023 (ACT 9 OF 2024) BEARING NOTIFICATION NO. 142/LEG.H2/2022/ LAW DATED 07TH JUNE 2024 PUBLISHED IN THE GAZETTE.
- Exhibit -P2 A TRUE COPY OF THE GOVERNMENT ORDER BEARING G.O.(P)NO.53/2024/CO-OP DATED 19.03.2024 PUBLISHED IN THE GAZETTE.
- Exhibit -P3 TRUE COPY OF THE COMMUNICATION DATED 10.06.2024 GIVEN BY THE PRESIDENT OF THE NEDUMKUNNAM SERVICE CO-OPERATIVE BANK LTD. TO THE STATE CO-OPERATIVE ELECTION COMMISSION.



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W.P.(C) No.21368/2024 & connected cases

: 127 :

APPENDIX OF WP(C) 21582/2024

PETITIONER'S EXHIBITS:

- Exhibit-P1 A TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2023 (ACT 9 OF 2024) BEARING NOTIFICATION NO. 142/LEG.H2/2022/ LAW DATED 07TH JUNE 2024 PUBLISHED IN THE GAZETTE.
- Exhibit-P2 A TRUE COPY OF THE GOVERNMENT ORDER BEARING G.O.(P)NO. 53/2024/CO-OP DATED 19.03.2024 PUBLISHED IN THE GAZETTE.
- Exhibit-P3 TRUE COPY OF THE COMMUNICATION DATED 10.06.2024 GIVEN BY THE PRESIDENT OF THE PUTHUPPALLY SERVICE CO-OPERATIVE BANK LTD. TO THE STATE CO-OPERATIVE ELECTION COMMISSION.
- Exhibit-P4 COPY OF THE SAID GOVERNMENT ORDER BEARING G.O.(RT)NO. 522/2019/CO-OP DATED 02.09.2019.
- Exhibit-P5 A COPY OF THE CHART SHOWING VARIOUS AMOUNTS WHICH ARE PAID AND PAYABLE BY THE PETITIONER'S SOCIETY UNDER THE DIFFERENT HEADS.



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W.P.(C) No.21368/2024 & connected cases

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APPENDIX OF WP(C) 21629/2024

PETITIONERS' EXHIBITS:

- Exhibit P1 TRUE COPY OF THE ELECTION NOTIFICATION
DATED 11.06.2024 OF THE AYROOR SERVICE
CO-OPERATIVE BANK ISSUED BY THE
ELECTION COMMISSION.
- Exhibit P2 TRUE COPY OF THE AMENDED ACT NO.9 OF
2024 DATED 07.06.2024 OF THE
GOVERNMENT.
- Exhibit P3 TRUE COPY OF THE RULE 15 OF THE KCS
RULES WITH UPTO DATE AMENDMENT.



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W.P.(C) No.21368/2024 & connected cases

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APPENDIX OF WP(C) 21697/2024

PETITIONERS' EXHIBITS:

- Exhibit P1 A TRUE COPY OF THE AUDITED BALANCE SHEET OF RESPONDENT NO.4 SOCIETY FOR THE FINANCIAL YEAR OF 2022-23 AND UNAUDITED BALANCE SHEET OF 2023-24
- Exhibit P1(a) A TRUE COPY OF THE TENTATIVE BALANCE SHEET AS ON 31.03.2024 OF THE 5TH RESPONDENT SOCIETY, SHOWING A PROFIT OF RS. 709139.00
- Exhibit P2 A TRUE COPY OF THE RESOLUTION DATED 07.05.2024 ADOPTED BY THE RESPONDENT NO.4 BANK
- Exhibit P3 A TRUE COPY OF THE APPLICATION DATED 08.05.2024 IN NO. ALP/204/2024 SUBMITTED BY RESPONDENT NO.4 TO RESPONDENT NO.3
- Exhibit P4 A TRUE COPY OF THE RECEIPT DATED 08.05.2024 EVIDENCING PAYMENT OF RS. 2000/- TO THE TREASURY
- Exhibit P5 TRUE COPY OF THE GAZETTE NOTIFICATION DATED 07.06.2024 ISSUED BY RESPONDENT NO.1 IN NO. 142/LEG.H2/2022/LAW
- Exhibit P6 A TRUE COPY OF THE ELECTION NOTIFICATION DATED 14.06.2024 ISSUED BY RESPONDENT NO.4 IN NO. OI/165/2024/E(1)S.C.E.C.



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APPENDIX OF WP(C) 21796/2024

PETITIONERS' EXHIBITS:

Exhibit -P1

A TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2023 (ACT 9 OF 2024) BEARING NOTIFICATION NO. 142/LEG.H2/2022/ LAW DATED 07TH JUNE 2024 PUBLISHED IN THE GAZETTE.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

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APPENDIX OF WP(C) 22180/2024

PETITIONERS' EXHIBITS:

Exhibit P1 TRUE COPY OF THE GAZETTE NOTIFICATION
DATED 07.06.2024.

Exhibit P2 TRUE COPY OF THE ELECTION NOTIFICATION
DATED 15.06.2024 ISSUED BY CO-OPERATIVE
ELECTION COMMISSIONER.



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APPENDIX OF WP (C) 22342/2024

PETITIONER'S EXHIBITS:

Exhibit P1 TRUE COPY OF THE KERALA CO-OPERATIVE
SOCIETIES (AMENDMENT) ACT, 2023
BEARING NOTIFICATION NO.
142/LEG.H2/2022/LAW DATED 7-6-2024.

Exhibit P2 TRUE COPY OF THE NOTIFICATION NO.
0L/97/2024/E(2)SCEC DATED 8-6-2024
ISSUED BY THE 2ND RESPONDENT.



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W.P.(C) No.21368/2024 & connected cases

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APPENDIX OF WP (C) 22428/2024

PETITIONERS' EXHIBITS:

Exhibit P1 A TRUE COPY OF THE APPLICATION IN NO.
TSR/273/2024 DATED 14.05.2024 SUBMITTED
TO RESPONDENT NO.4.

Exhibit P2 TRUE COPY OF THE GAZETTE NOTIFICATION
DATED 07.06.2024 ISSUED BY RESPONDENT
NO.1 IN NO. 142/LEG.H2/2022/LAW.



2024:KER:80385

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APPENDIX OF WP(C) 22638/2024

PETITIONERS' EXHIBITS:

- Exhibit P1 A TRUE COPY OF THE ELECTION
NOTIFICATION DATED 12.06.2024 OF THE
VIYYUR SERVICE CO-OPERATIVE BANK ISSUED
BY THE ELECTION COMMISSION
- Exhibit P2 A TRUE COPY OF THE ELECTION
NOTIFICATION DATED 22.06.2024 OF THE
KADUNGALLUR SERVICE CO-OPERATIVE BANK
ISSUED BY THE ELECTION COMMISSION
- Exhibit P3 A TRUE COPY OF THE AMENDED ACT NO.9 OF
2024 DATED 07.06.2024 OF THE GOVERNMENT
- Exhibit P4 A TRUE COPY OF THE RULE 15 OF THE KCS
RULES WITH UPTO DATE AMENDMENT

RESPONDENTS' EXHIBITS:

- Exhibit R2(a) TRUE COPY OF THE RELEVANT PAGES OF THE
PROCEEDINGS OF THE KERALA LEGISLATIVE
ASSEMBLY RELATED TO THE INTRODUCTION OF
KERALA CO-OPERATIVE SOCIETIES III
(AMENDMENT) BILL, 2022 [BILL NO.151 OF
THE 15TH KERALA LEGISLATIVE ASSEMBLY]
DATED 12.12.2022.
- Exhibit R2(b) TRUE COPY OF GO(RT) NO 418/2019/CO-OP
DATED 02-07-2019
- Exhibit R2(c) TRUE COPY OF THE GO(RT) NO 629/2019/CO-
OP DATED 23-10-2019
- Exhibit R2(d) TRUE COPY OF THE GO(RT) NO 93/2020/CO-
OP DATED 09-02-2020
- Exhibit R2(e) TRUE COPY OF THE RELEVANT PAGES OF THE
KERALA CO-OPERATIVE SOCIETIES III



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(AMENDMENT) BILL, 2022 [BILL NO.151 OF
THE 15TH KERALA LEGISLATIVE ASSEMBLY]
CONTAINING EXPLANATION OF THE OBJECTIVE
SOUGHT TO BE ACHIEVED, DATED NIL

Exhibit R2(f)

TRUE COPY OF THE SELECT COMMITTEE
REPORT OF THE KERALA STATE LEGISLATIVE
ASSEMBLY.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 136 :

APPENDIX OF WP(C) 22645/2024

PETITIONERS' EXHIBITS:

- Exhibit P1 TRUE COPY OF THE ELECTION NOTIFICATION
DATED 10.06.2024 OF THE THYCATTUSERY
SERVICE CO-OPERATIVE BANK ISSUED BY THE
ELECTION COMMISSION.
- Exhibit P2 TRUE COPY OF THE AMENDED ACT
NO.142\LEG.H2\2022\LAW DATED 07.06.2024
OF THE GOVERNMENT.
- Exhibit P3 TRUE COPY OF THE RULE 15 OF THE KCS
RULES.



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APPENDIX OF WP(C) 22656/2024

PETITIONERS' EXHIBITS:

- | | |
|------------|--|
| Exhibit-P1 | A TRUE COPY OF THE AADHAR CARD
NO.587652242494 OF THE 1ST PETITIONER |
| Exhibit-P2 | A TRUE COPY OF THE AADHAR CARD
NO.521320880224 OF THE 2ND PETITIONER |
| Exhibit-P3 | A TRUE COPY OF THE NOTIFICATION
NO.OL/96/2024/E(1)S.C.E.C DATED 08-06-
2024 ISSUED BY THE 4TH RESPONDENT |
| Exhibit-P4 | A TRUE COPY OF RELEVANT PAGES OF THE
GAZETTE NOTIFICATION DATED 07-06-2024. |



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W.P.(C) No.21368/2024 & connected cases

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APPENDIX OF WP (C) 22692/2024

PETITIONERS' EXHIBITS:

- Exhibit P1 A TRUE COPY OF THE APPLICATION IN NO. TSR/287/2024 DATED 15.05.2024 SUBMITTED TO RESPONDENT NO.4.
- Exhibit P2 A TRUE COPY OF NOTIFICATION DATED 14.06.2024 ISSUED BY THE 4TH RESPONDENT.
- Exhibit P3 TRUE COPY OF THE GAZETTE NOTIFICATION DATED 07.06.2024 ISSUED BY LAW SECRETARY IN NO. 142/LEG.H2/2022/LAW.



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APPENDIX OF WP (C) 22740/2024

PETITIONER'S EXHIBITS:

- Exhibit-P1 A TRUE COPY OF THE RESOLUTION NO.1 DATED 05-06-2024 OF THE MANAGING COMMITTEE, ACCEPTING THE RESIGNATION OF THE PETITIONER FROM THE POST OF PRESIDENT AND ALSO MEMBER OF THE MANAGING COMMITTEE.
- Exhibit-P2 A TRUE COPY OF THE INTIMATION DATED 05-06-2024, BY THE SECRETARY OF THE 7TH RESPONDENT SOCIETY TO THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL), THIRURANGADI.
- Exhibit-P3 A TRUE COPY OF THE NOTIFICATION NO.OL/123/2024/E(2)S.C.E.C DATED 11-06-2024 ISSUED BY THE 4TH RESPONDENT.
- Exhibit-P4 A TRUE COPY OF RELEVANT PAGES OF THE GAZETTE NOTIFICATION DATED 07-06-2024.



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W.P.(C) No.21368/2024 & connected cases

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APPENDIX OF WP(C) 23203/2024

PETITIONER'S EXHIBITS:

- | | |
|------------|---|
| Exhibit-P1 | A TRUE COPY OF THE AADHAR CARD NO.573875664026 OF THE 1ST PETITIONER. |
| Exhibit-P2 | A TRUE COPY OF THE AADHAR CARD NO.645295742180 OF THE 2ND PETITIONER. |
| Exhibit-P3 | A TRUE COPY OF THE NOTIFICATION NO.OL/135/2024/E(1)S.C.E.C DATED 11-06-2024 ISSUED BY THE 4TH RESPONDENT. |
| Exhibit-P4 | A TRUE COPY OF RELEVANT PAGES OF THE GAZETTE NOTIFICATION DATED 07-06-2024. |



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W.P.(C) No.21368/2024 & connected cases

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APPENDIX OF WP (C) 23252/2024

PETITIONERS' EXHIBITS:

Exhibit -P1 A TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2023 (ACT 9 OF 2024) BEARING NOTIFICATION NO. 142/LEG.H2/2022/LAW DATED 07TH JUNE 2024 PUBLISHED IN THE GAZETTE.

Exhibit -P2 A TRUE COPY OF THE GOVERNMENT ORDER BEARING G.O.(P)NO. 53/2024/CO-OP DATED 19.03.2024 PUBLISHED IN THE GAZETTE.



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W.P.(C) No.21368/2024 & connected cases

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APPENDIX OF WP(C) 23325/2024

PETITIONERS' EXHIBITS:

Exhibit P1 A TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2023 (ACT 9 OF 2024) BEARING NOTIFICATION NO. 142/LEG.H2/2022/ LAW DATED 07TH JUNE 2024 PUBLISHED IN THE GAZETTE.

Exhibit P2 A TRUE COPY OF THE GOVERNMENT ORDER BEARING G.O.(P)NO.53/2024/CO-OP DATED 19.03.2024 PUBLISHED IN THE GAZETTE.



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W.P.(C) No.21368/2024 & connected cases

: 143 :

APPENDIX OF WP(C) 23479/2024

PETITIONER'S EXHIBITS:

Exhibit P1 TRUE COPY OF THE KERALA CO-OPERATIVE
SOCIETIES (AMENDMENT) ACT, (ACT 9 OF
2024) BEARING NOTIFICATION NO.
142/LEG.H2/2022/LAW DATED 07TH JUNE
2024 PUBLISHED IN THE GAZETTE.

Exhibit P2 TRUE COPY OF THE ELECTION NOTIFICATION
ALONG WITH CORRESPONDING ORDER BEARING
NO. 01/440/2024/E(1) S.C.E.C DATED 25-
06-2024 ISSUED BY THE 3RD RESPONDENT.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 144 :

APPENDIX OF WP (C) 23565/2024

PETITIONERS' EXHIBITS:

- Exhibit P1 A TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2023 (ACT 9 OF 2024) BEARING NOTIFICATION NO. 142/LEG.H2/2022/ LAW DATED 07TH JUNE 2024 PUBLISHED IN THE GAZETTE.
- Exhibit P2 A TRUE COPY OF THE GOVERNMENT ORDER BEARING G.O.(P)NO.53/2024/CO-OP DATED 19.03.2024 PUBLISHED IN THE GAZETTE.
- Exhibit P3 A COPY OF THE ELECTION NOTIFICATION BEARING NO. 01/508/2024/E(2) S.C.E.C DATED 28.06.2024 ISSUED BY THE STATE CO-OPERATIVE ELECTION COMMISSION.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 145 :

APPENDIX OF WP (C) 23575/2024

PETITIONERS' EXHIBITS:

- Exhibit P1 A TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2023 (ACT 9 OF 2024) BEARING NOTIFICATION NO. 142/LEG.H2/2022/ LAW DATED 07TH JUNE 2024 PUBLISHED IN THE GAZETTE.
- Exhibit P2 A TRUE COPY OF THE GOVERNMENT ORDER BEARING G.O.(P)NO.53/2024/CO-OP DATED 19.03.2024 PUBLISHED IN THE GAZETTE.
- Exhibit P3 A COPY OF THE ELECTION NOTIFICATION BEARING NO. 01/504/2024/E(2)S.C.E.C. DATED 27.06.2024 ISSUED BY THE STATE CO-OPERATIVE ELECTION COMMISSION.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 146 :

APPENDIX OF WP(C) 23598/2024

PETITIONER'S EXHIBITS:

Exhibit P1

TRUE COPY OF THE GAZETTE NOTIFICATION
DATED 07.06.2024 ISSUED BY RESPONDENT
LAW SECRETARY IN NO.
142/LEG.H2/2022/LAW.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 147 :

APPENDIX OF WP (C) 25011/2024

PETITIONER'S EXHIBITS:

- Exhibit P1 TRUE COPY OF KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2023 (ACT 9 OF 2024) BEARING NOTIFICATION NO.142/LEG.H2/2022/LAW DATED07-06-2024 PUBLISHED IN THE GAZETTE.
- Exhibit P2 TRUE COPY OF THE GOVERNMENT ORDER BEARING G.O. (P) NO.53/2024/CO-OP. DATED 19-03-2024 PUBLISHED IN THE GAZETTE.
- Exhibit P3 TRUE COPY OF THE ELECTION NOTIFICATION BEARING NO.01/92/2024/E(2) S.C.E.C. DATED 08-06-2024 ISSUED BY THE STATE CO-OPERATIVE ELECTION COMMISSION.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 148 :

APPENDIX OF WP(C) 25135/2024

PETITIONER'S EXHIBITS:

- Exhibit P1 A TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2023 (ACT 9 OF 2024) BEARING NOTIFICATION NO. 142/LEG.H2/2022/ LAW DATED 07TH JUNE 2024 PUBLISHED IN THE GAZETTE.
- Exhibit P2 A TRUE COPY OF THE GOVERNMENT ORDER BEARING G.O.(P)NO.53/2024/CO-OP DATED 19.03.2024 PUBLISHED IN THE GAZETTE.
- Exhibit P3 A COPY OF THE ELECTION NOTIFICATION BEARING NO. 01/629/2024 E(2) S.C.E.C DATED 04.07.2024 ISSUED BY THE STATE CO-OPERATIVE ELECTION COMMISSION.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 149 :

APPENDIX OF WP (C) 25821/2024

PETITIONER'S EXHIBITS:

- Exhibit P1 TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT,2023 BEARING NOTIFICATION NO. 142/LEG.H2/2022/LAW DATED 7-6-2024.
- Exhibit P2 TRUE COPY OF THE NOTIFICATION NO. 01/616/2024/E(2)SCEC DATED 3-7-2024 ISSUED BY THE 2ND RESPONDENT.
- Exhibit P3 TRUE COPY OF THE JUDGMENT IN W.A.NO. 943/2024 DATED 8-7-2024.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 150 :

APPENDIX OF WP(C) 25896/2024

PETITIONER'S EXHIBITS:

- Exhibit P1 TRUE COPY OF THE CERTIFICATE WITH REF NO: NIL AND DATED 08.07.2024 ISSUED BY THE SECRETARY OF VELIYATHU NADU SERVICE CO-OPERATIVE BANK LTD NO. E298.
- Exhibit P2 TRUE COPY OF THE JANMABHOOMI DAILY DATED 08.07.2024 CONSISTING OF NOTIFICATION NO. 01/620/2024/E(2)S.C.E.C DATED 03.07.2024.
- Exhibit P3 TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT 2023 (ACT 9/2024) BEARING NOTIFICATION NO. 142/LEG.H2/2022/LAW DATED 07.06.2024 AND PUBLISHED IN THE GAZETTE.
- Exhibit P4 THE TRUE COPY OF THE COMMON JUDGMENT IN WA 937/2024 AND WA 943/2024 DATED 08/07/2024 OF THIS HON'BLE COURT.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 151 :

APPENDIX OF WP(C) 26270/2024

PETITIONERS' EXHIBITS:

Exhibit P1

A TRUE COPY OF THE KERALA CO-OPERATIVE
SOCIETIES (AMENDMENT) ACT, 2023 (ACT 9
OF 2024) BEARING NOTIFICATION NO.
142/LEG.H2/2022/ LAW DATED 07TH JUNE
2024 PUBLISHED IN THE GAZETTE.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 152 :

APPENDIX OF WP(C) 26409/2024

PETITIONERS' EXHIBITS:

Exhibit P1

TRUE COPY OF THE KERALA CO-OPERATIVE
SOCIETIES (AMENDMENT) ACT, 2023 (ACT 9
OF 2024) BEARING NOTIFICATION NO.
142/LEG.H2/2022/LAW DATED 07TH JUNE
2024 PUBLISHED IN THE GAZETTE.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 153 :

APPENDIX OF WP(C) 28043/2024

PETITIONER'S EXHIBITS:

- Exhibit -P1 A TRUE COPY OF THE KERALA CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 2023 (ACT 9 OF 2024) BEARING NOTIFICATION NO. 142/LEG.H2/2022/ LAW DATED 07TH JUNE 2024 PUBLISHED IN THE GAZETTE
- Exhibit -P2 TRUE COPY OF THE CIRCULAR NO. 62/2020 DATED 18.08.2020 ISSUED FROM THE OFFICE OF THE 3RD RESPONDENT
- Exhibit -P3 TRUE COPY OF THE GOVERNMENT ORDER BEARING G.O.(RT) NO. 579/2020/CO-OP DATED 06.11.2020
- Exhibit -P4 TRUE COPY OF THE GOVERNMENT ORDER BEARING G.O.(RT) NO. 531/2023/CO-OP DATED 11.09.2023
- Exhibit-P5 A TRUE COPY OF THE GOVERNMENT ORDER BEARING G.O. (RT) NO.2/2024/CO-OP DATED 02.01.2024
- Exhibit -P6 TRUE COPY OF THE GOVERNMENT ORDER BEARING G.O. (RT)NO. 80/2024/CO-OP DATED 07.02.2024
- Exhibit -P7 A TRUE COPY OF THE GOVERNMENT ORDER BEARING G.O. (RT) NO. 201/2024/CO-OP DATED 24.04.2024

RESPONDENTS' ANNEXURES:

- ANNEXURE R1 (a) TRUE PHOTOCOPY OF THE GUIDELINES ISSUED BY THE MINISTRY OF FINANCE No.F.1/1/2021-PPD DATED 29.10.2024.



2024:KER:80385

W.P.(C) No.21368/2024 & connected cases

: 154 :

APPENDIX OF WP (C) 29045/2024

PETITIONER'S EXHIBITS:

Exhibit P1 TRUE ENGLISH AND MALAYALAM COPY OF
GAZETTE NOTIFICATION DATED 07.06.2024
ISSUED THE LAW SECRETARY IN NO.
142/LEG.H2/2022/LAW.

Exhibit P2 A TRUE COPY OF THE G.O(GENERAL)
NO.201/2024/C.OP DATED 24.04.2024
ISSUED BY THE GOVERNMENT SECRETARY.