

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE**

**WEDNESDAY, THE 25TH DAY OF OCTOBER 2017/3RD KARTHIKA, 1939**

**WP(C).No. 30617 of 2010 (B)**  
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**PETITIONER(S):**  
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- 1. P.V.MARKOSE,  
PUDUSSERY HOUSE,  
NETTITHOZHU P.O., KOCHERA, IDUKKI DISTRICT.**
- 2. JOSE JACOB,  
VANIYUPURAKKAL HOUSE,  
NETTITHOZHU P.O., VANDANMEDU, IDUKKI DISTRICT.**

**BY ADVS.SRI.V.G.ARUN  
SRI.T.R.HARIKUMAR**

**RESPONDENT(S):**  
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- 1. THE DEPUTY DIRECTOR OF DAIRY DEVELOPMENT,  
MINI CIVIL STATION, THODUPUZHA,  
IDUKKI DISTRICT-685 584.**
- 2. NETTITHOZHU KSHEEROLPADAKA SAHAKARANA  
SANGHAM LTD. NO.I. 38(D) APCOS, NATTITHOZHU P.O.,  
VANDANMEDU, IDUKKI DISTRICT-685 551,  
REPRESENTED BY ITS SECRETARY- IN-CHARGE.**
- 3. STATE OF KERALA,  
REPRESENTED BY THE SECRETARY TO GOVERNMENT,  
DAIRY DEVELOPMENT DEPARTMENT,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.**

**R1 & R3 BY SPL. GOVERNMENT PLEADER SRI.MOHAMMED HASHIM  
R2 BY ADV. SRI.P.C.SASIDHARAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 25-10-2017,ALONG WITH WP(C) NO.22690/2011, THE COURT  
ON THE SAME DAY DELIVERED THE FOLLOWING:**

**sts**

WP(C).No. 30617 of 2010 (B)

**APPENDIX**

**PETITIONER'S EXHIBITS:**

- P1 COPY OF THE RESOLUTION DATED 22/09/2008
- P2 COPY OF THE NOTICE OF THE INAUGURAL FUNCTION HELD ON 09/11/2008
- P3 COPY OF THE NOTICE DATED 03/03/2010
- P4 COPY OF THE EXPLANATION SUBMITTED BY THE PETITIONERS AND OTHER MEMBERS DATED 17/03/2010
- P5 COPY OF THE ORDER NO.C 2628/09 DATED 17/03/2010
- P6 COPY OF THE ORDER DATED 19/03/2010
- P7 COPY OF THE JUDGMENT IN WP(C) NO.10255 OF 2010 DATED 1/7/2010
- P8 COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS DATED 17/9/2010
- P9 COPY OF THE LETTER ISSUED BY THE 1ST RESPONDENT DATED 25/9/2010

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

**A.MUHAMED MUSTAQUE, J.**

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W.P.(C) Nos.30617/2010 & 22690/2011

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Dated this the 25<sup>th</sup> day of October, 2017

JUDGMENT

Petitioners are the managing committee members of the second respondent Society. Alleging mismanagement of fund in relation to the construction of Veterinary Hospital, they were proceeded under Section 68 of the Co-operative Societies Act and consequently to disqualify them from being continuing as members of the managing committee. As seen from the subsequent proceedings, the money expended by the petitioner has been approved by the Government and therefore, there is no irregularity with funds spent for the construction of the Veterinary Hospital. That be so, impugned orders are only to be set aside. Accordingly, I do so.

These writ petitions are disposed of as above.

Sd/-

**A.MUHAMED MUSTAQUE, JUDGE**

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