

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SHAJI P.CHALY

FRIDAY, THE 8TH DAY OF JULY 2016/17TH ASHADHA, 1938

WP(C).No. 9761 of 2016 (U)

PETITIONER :

**V.K. MATHEW,
VALIYA VEETIL PALAD, MANIMOOLI,
VAZHICKADAVU, NILAMBUR TALUK,
ALAPPURAM DISTRICT.**

**BY ADVS.SRI.P.SAMSUDIN
SRI.JITHIN LUKOSE**

RESPONDENTS :

- 1. DEPUTY DIRECTOR,
DAIRY DEVELOPMENT DEPARTMENT,
MALAPPURAM-676505.**
- 2. DAIRY EXTENTSION OFFICER,
NILAMBUR-679329, MALAPPURAM DISTRICT.**
- 3. THE QUALITY CONTROL OFFICER (NODAL OFFICER),
DAIRY FARMERS' WELFARE FUND BOARD,
MALAPPURAM-676505.**
- 4. THE EDAKKARA KSHEEROLPADAKA SAHAKARANA SANGHAM
LTD NO. F 1781, APCOS, EDAKKARA P.O.-679331,
MALAPPURAM DISTRICT.**

R1 & R2 BY SR. GOVT. PLEADER SRI.V. VIJULAL

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 08-07-2016, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 9761 of 2016 (U)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXT. P1 TRUE COPY OF THE REPRESENTATION DATED 04.01.2016 SUBMITTED
BY THE PETITIONER BEFORE THE 4TH RESPONDENT (ALONG WITH
ENGLISH TRANSLATION).**

**EXT. P2 TRUE COPY OF THE REPRESENTATION DATED 19.01.2016 SUBMITTED
BY THE PETITIONER BEFORE THE 3RD RESPONDENT (ALONG WITH
ENGLISH TRANSLATION).**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

SHAJI P. CHALY, J.

W.P.(C). No.9761 of 2016

Dated this the 8th day of July, 2016

JUDGMENT

Petitioner is a dairy farmer and the 4th respondent is a primary co-operative society constituted for promoting dairy farming. Petitioner is a member of the 4th respondent society since 1994 having membership No.2769. Petitioner is also a member of the Dairy Farmers' Welfare Fund Scheme for milk producers and his membership number is 1006110045. Petitioner has completed 60 years of age as on 20.09.2015 and he is entitled to get pension under the Pension Scheme under the Welfare Fund. But the 4th respondent society is not admitting the petitioner to the Pension Scheme and therefore, petitioner submitted Ext.P1 representation to the President and Secretary of the 4th respondent society which is pending consideration on and w.e.f. 4.1.2016. The main grievance voiced by the petitioner in this writ petition is non-consideration of Ext.P1 by the 4th respondent.

2. Even though notice is served on the 4th respondent, there is no appearance. Having heard learned counsel for the petitioner and learned Government Pleader, there will be a direction to the President/Secretary of the 4th respondent society or the Committee of the 4th respondent to take a decision on Ext.P1 representation submitted by the petitioner in accordance with law and pass orders thereon within a period of one month from the date of receipt of a copy of this judgment. Needless to say, if the petitioner is entitled to get membership, the 4th respondent shall take immediate steps to enroll the petitioner in the Welfare Fund.

Writ petition is disposed of accordingly.

Sd/-
SHAJI P. CHALY
JUDGE

smv
08.07.2016