

Gopalakrishnan a vs State of Kerala

Gopalakrishnan a vs State of Kerala

SooperKanoon Citation : sooperkanoon.com/1333236

Court : Kerala

Decided On : Jan-31-2023

Judge : Honourable Mr. Justice Gopinath P.

Appeal No. : WP(C)/2112/2022

Appellant : Gopalakrishnan a

Respondent : State of Kerala

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P.
TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944
WP(C) NO. 1973 OF 2022 PETITIONER: VEERAPUTHRAN. S AGED
54 YEARS, S/O. SUBRAMANIAN, SCIENTIST B, ECONOMIC
RESEARCH DIVISION, RRII, RUBBER BOARD P O, KOTTAYAM - 686
009, RESIDING AT QTR NO. TYPE 4, NO. 6, RRII CAMPUS, RUBBER
BOARD P O, KOTTAYAM-686 009.

BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN PRADEEP KRISHNA
SEENA S. NAIR MANOJ K.S. RESPONDENTS: 1 STATE OF KERALA
REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-

OPERATION, SECRETARIAT, THIRUVANANTHAPURAM - 695001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES, OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR GENERAL DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O, KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD (REG. NO. K NO.4377) REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. 5 THE SUB-REGISTRAR O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAMP O, KOTTAYAM- 686 004. -2- 6 PIUSMON A.K FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT: RUBBER BOARD HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009. 7 SAJEEVE K P PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009.

8 ADDL.R8 RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS CONVENER, ADMINISTRATIVE COMMITTEE, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. *[ADDL.R8 IS IMPEADED AS PER ORDER DATED 31/01/2023 IN I.A- BY ADVS. LIJI.J.VADAKEDOM REXY ELIZABETH THOMAS TOM E. JACOB OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1961/2022, 1963/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -3-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 1961 OF 2022 PETITIONER: SREELATHA.M AGED 62 YEARS, WIFE OF K.S VENUGOPAL, RESIDING AT KUNNATHU HOUSE, THIRUNAKKARA NORTH, KOTTAYAM - 686 001. BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN PRADEEP KRISHNA SEENA S. NAIR MANOJ K.S. RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES, OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR (GENERAL) DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O, KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. - 4- 5 THE SUB-REGISTRAR, O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAM P O, KOTTAYAM- 686 004. 6 PIUSMON A.K FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT:RUBBER BOARD HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009. 7 SAJEEVE K P, PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009.

*8 ADDL.R8 RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS CONVENER, ADMINISTRATIVE COMMITTEE, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. *[ADDL.R8 IS IMPEADED AS PER ORDER DATED

27/01/2023 IN I.A- BY ADVS. LIJI.J.VADAKEDOM (R4) TOM E. JACOB REXY ELIZABETH THOMAS OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -5-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 1963 OF 2022 PETITIONER: RAVEENDRAN NAIR P V AGED 62 YEARS,S/O.BHASKARAN PILLAI L., REVATHY, RUBI NAGAR, MANGANAM P O, KOTTAYAM - 686 018. BY ADVS. R.REJI KUMAR SEENA S. NAIR MANOJ K.S. P.R.JAYAKRISHNAN PRADEEP KRISHNA RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES, OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR (GENERAL) DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O, KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD REG. NO. K NO.4377 REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. - 6- 5 THE SUB REGISTRAR O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAM P.O, KOTTAYAM- 686 004. 6 PIUSMON A.K FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT RUBBER BOARD HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009. (* DELETED FROM THE PARTY ARRAY AS PER ORDER DATED 7 SAJEEVE K P PRESIDENT,

RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009. (* DELETED FROM THE PARTY ARRAY AS PER ORDER DATED

*8 ADDL.R8 RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS CONVENER, ADMINISTRATIVE COMMITTEE, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. [ADDL.R8 IS IMPEADED AS PER ORDER DATED 27.01.2023 IN I.A- BY ADV LIJI.J.VADAKEDOM OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -7-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 2054 OF 2022 PETITIONER: BOBAN MATHAI AGED 61 YEARS, S/O.K.J.MATHAI, KUTHIRAVELIL HOUSE, NEAR BISHOP HOUSE, CHANGANACHERRY P O, KOTTAYAM - 686 101. BY ADVS. R.REJI KUMAR SEENA S. NAIR MANOJ K.S P.R.JAYAKRISHNAN PRADEEP KRISHNA RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM PIN - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES, OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM-695 014. 3 THE JOINT REGISTRAR (GENERAL), DEPARTMENT OF CO-OPERATION, CIVIL STATION, COLLECTORATE P.O., KOTTAYAM-686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD., [REG.NO.K NO.4377], REPRESENTED BY ITS

SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P.O., KOTTAYAM - 686 009. -8- 5 THE SUB REGISTRAR, O/O.SUB REGISTRAR ADDITIONAL, MUTTAMBALAM P.O., KOTTAYAM - 686 004. 6 **PIUSMON A.K., FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT RUBBER BOARD HOUSING COLONY, RUBBER BOARD P.O., KOTTAYAM - 686 009.

7 **SAJEEVE K.P., PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD., RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD P.O., KOTTAYAM - 686 009. **(R6 & R7 ARE DELETED FROM PARTY ARRAY AS PER ORDER DATED 8 ADDL.R8: RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS CONVENER, ADMINISTRATIVE COMMITTEE, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. (ADDL.R8 IS IMPEADED AS PER ORDER DATED 27.01.2023 IN IA NO.1/2023) BY ADV LIJI.J.VADAKEDOM OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -9-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 2093 OF 2022 PETITIONER: M.N.OMANAKUMAR SON OF V.N. NARAYANA PILLAI, AGED 61 YEARS RESIDING AT CHAITHANYA, PILAPUZHA, HARIPAD - 690 514. BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN PRADEEP KRISHNA SEENA S. NAIR MANOJ K.S. RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-OPERATION,

SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES, OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR (GENERAL) DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O, KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377) REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. - 10- 5 THE SUB-REGISTRAR O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAM P O, KOTTAYAM- 686 004. 6 PIUSMON A.K FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT: RUBBER BOARD HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009. 7 SAJEEVE K P PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009.

*8 ADDL.R8. RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD(REG. NO. K. NO. 4377), REPRESENTED BY ITS CONVENER, ADMINISTRATIVE COMMITTEE, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD .P.O., KOTTAYAM-686 009. (ADDL.R8 IMPEADED AS PER ORDER DATED 27-01-2023 IN IA BY ADV LIJI.J.VADAKEDOM OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -11-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 2112 OF 2022 PETITIONER: GOPALAKRISHNAN A AGED 47 YEARS, SON OF V.ANANTHAKRISHNAN POTTY, ASSISTANT SYSTEMS OFFICER, EDP, RUBBER BOARD H.O. KOTTAYAM, RESIDING AT SREENIKETH, IRATTUNADA, MANARCADU P.O., KOTTAYAM - 686019 BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN PRADEEP KRISHNA SEENA S. NAIR MANOJ K.S. RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES, OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR (GENERAL) DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O, KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD REG. NO. K NO.4377 REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. -12- 5 THE SUB-REGISTRAR O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAM P O, KOTTAYAM- 686 004. 6 PIUSMON A.K *(DELETED) FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT: RUBBER BOARD HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009.

(*DELETED FROM PARTY ARRAY AS PER ORDER DATED 27/01/2023 IN IA 1/2022) 7 SAJEEVE K P *(DELETED) PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009. (*DELETED FROM PARTY ARRAY AS PER ORDER DATED 27/01/2023 IN IA 1/2022) *8 ADDL.R8. RUBBER BOARD EMPLOYEES HOUSING CO-

OPERATIVE SOCIETY LTD(REG. NO. K. NO. 4377), REPRESENTED BY ITS CONVENER, ADMINISTRATIVE COMMITTEE, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD .P.O., KOTTAYAM-686 009. (ADDL.R8 IMPEADED AS PER ORDER DATED 31-01-2023 IN IA BY ADV LIJI.J.VADAKEDOM OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -13-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 2116 OF 2022 PETITIONER: LAKSHMI AMMAL. P AGED 56 YEARS, WIFE OF O M.S. VENKITACHALAM, ASSISTANT, F AND A DIVISION, RUBBER BOARD H.O, KOTTAYAM, RESIDING AT MECHERI MADAM, PERUNNA WEST, CHANGANACHERRY.P.O, KOTTAYAM - 686 102. BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN PRADEEP KRISHNA SEENA S. NAIR MANOJ K.S. RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES, OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR (GENERAL) DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O, KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. -14- 5 THE SUB-REGISTRAR, O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAM P O, KOTTAYAM- 686

004. 6 PIUSMON A.K* FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT: RUBBER BOARD HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009 (* DELETED FROM THE PARTY ARRAY AS PER ORDER DATED 7 SAJEEVE K P* PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009 (* DELETED FROM THE PARTY ARRAY AS PER ORDER DATED

ADDL.R8 RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS CONVENER, ADMINISTRATIVE COMMITTEE, RUBBER RESEARCH INSTITUTE OF INDIA, *8 RUBBER BOARD P O, KOTTAYAM - 686 009. *[ADDL.R8 IS IMPEADED AS PER ORDER DATED 27/01/2023 IN I.A- BY ADV LIJI.J.VADAKEDOM OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -15-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 2144 OF 2022 PETITIONER: REMA G . NAIR AGED 48 YEARS, WIFE OF SURESH .T, JUNIOR ASSISTANT GR 1, ESTABLISHMENT SECTION , RUBBER BOARD.H.O , KOTTAYAM, RESIDING AT A-8, ABHIRAMAM, CHEERANS PALM GARDEN HOMES, MULLANKUZHY, KOTTAYAM-686 002.

BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN PRADEEP KRISHNA SEENA S. NAIR MANOJ K.S. RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-

OPERATION, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR (GENERAL) DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O, KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD REG. NO. K NO.4377 REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. - 16- 5 THE SUB-REGISTRAR, O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAM P O, KOTTAYAM- 686 004. 6 PIUSMON A.K FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT: RUBBER BOARD HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009. 7 SAJEEVE K P PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009.

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P.
TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944
WP(C) NO. 2265 OF 2022 PETITIONER: LISSY ZACHARIA AGED 56
YEARS, WIFE OF GEORGE ZACHARIA. A, SECTION OFFICER, P
AND PR DIVISION, RUBBER BOARD, KOTTAYAM-2, RESIDING AT
AVALAKOTIL HOUSE, PERUMPAIKKADU P.O, KOTTAYAM-686 016.
BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN RESPONDENTS: 1
STATE OF KERALA REPRESENTED BY THE SECRETARY,
DEPARTMENT OF CO-OPERATION, SECRETARIAT,
THIRUVANANTHAPURAM - 695 001. 2 THE REGISTRAR OF CO-
OPERATIVE SOCIETIES OFFICE OF THE REGISTRAR OF CO-
OPERATIVE SOCIETIES, JAWAHAR CO-OPERATIVE BHAVAN, DPI
JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT
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REG. NO. K NO.4377 REPRESENTED BY ITS SECRETARY, RUBBER
RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM
- 686 009. -18- 5 THE SUB-REGISTRAR O/O SUB REGISTRAR
ADDITIONAL, MUTTAMBALAM P O, KOTTAYAM- 686 004. 6
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OPERATIVE SOCIETY, RESIDING AT RUBBER BOARD HOUSING
COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009. 7 SAJEEVE K
P PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-
OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE,
RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO,
KOTTAYAM - 686 009

(***R6 & R7 DELETED FROM PARTY ARRAY AS PER ORDER DATED
27.01.2023 IN IA 1/22) *8 ADDL.R8 RUBBER BOARD EMPLOYEES
HOUSING CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377),

REPRESENTED BY ITS CONVENER, ADMINISTRATIVE COMMITTEE, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. *(ADDL.R8 IS IMPEADED AS PER ORDER DATED 31.01.2023 IN IA NO.1/2023 IN W.P(C) NO.2265 OF 2022) BY ADV LIJI.J.VADAKEDOM OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -19-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 2270 OF 2022 PETITIONER: SATHY.K.B AGED 51 YEARS BALAN. T.A, ACCOUNTS OFFICER, F AND A DIVISION, RUBBER BOARD H O , KOTTAYAM RESIDING AT THAREPARAMBIL, PALLIKUTHU P.O, CHUNGATHARA PO, MALAPPURAM-679 334. BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN PRADEEP KRISHNA SEENA S. NAIR MANOJ K.S. RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES, OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR (GENERAL) DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O, KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377) REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. - 20- 5 THE SUB-REGISTRAR, O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAMP O, KOTTAYAM- 686 004. 6 PIUSMON A.K **

(DELETED) FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT RUBBER BOARD HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009. 7 SAJEEVE K P ** (DELETED) PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009. ** (R6 AND R7 DELETED FROM PARTY ARRAY AS PER ORDER DATED 27-01-2023 IN IA 1/2022 IN WP(C)NO. 2270 OF 2022), BY ADV LIJI.J.VADAKEDOM OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -21-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 2299 OF 2022 PETITIONER: DRISYA .S. NATH AGED 36 YEARS, WIFE OF MAHESH A, JUNOR ASSISTANT, F AND A DIVISION , RUBBER BOARD HO, KOTTAYAM, RESIDING AT KESAVAM HOUSE, ALAPPATTU MEADOWS, ERANJAL, MUTTAMBALAM P.O., KOTTAYAM -686 004.

BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN PRADEEP KRISHNA SEENA S. NAIR MANOJ K.S. RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES, OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR (GENERAL) DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O, KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING

CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. - 22- 5 THE SUB-REGISTRAR, O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAM P.O, KOTTAYAM- 686 004. 6 PIUSMON A.K, FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT: RUBBER BOARD HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009. 7 SAJEEVE K P, PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009.

8 ADDL.R8: RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS CONVENER, ADMINISTRATIVE COMMITTEE, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM -686009

(ADDITIONAL R8 IMPEADED AS PER ORDER DATED 27.01.2023 IN I.A.NO. 1/23 IN w.P(C)NO.2299 OF 2022). BY ADVS. LIJI.J.VADAKEDOM REXY ELIZABETH THOMAS TOM E. JACOB OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -23-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 2337 OF 2022 PETITIONER: DR. C. KURUVILLA JACOB AGED 66 YEARS, SON OF C.K . JACOB FORMER DIRECTOR (TRAINING), RUBBER TRAINING INSTITUTE, RUBBER BOARD P.O, KOTTAYAM, RESIDING AT DALE CHACKASSERIL,

RUBI NAGAR, MANGANAM P.O , KOTTAYAM-686 018. BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN PRADEEP KRISHNA SEENA S. NAIR
RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR (GENERAL) DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O, KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. -24- 5 THE SUB-REGISTRAR O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAM P.O, KOTTAYAM- 686 004. 6 PIUSMON A.K FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT: RUBBER BOARD HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009. 7 SAJEEVE K P PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009. BY ADVS. LIJI.J.VADAKEDOM R.REJI KUMAR REXY ELIZABETH THOMAS TOM E. JACOB OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -25-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 2426 OF 2022
PETITIONER: GOPAKUMAR .K.B AGED 53, SON OF B N B MENON, EXCISE DUTY INSPECTOR, SUB OFFICE, MUMBAI, NAVI MUMBAI, MAHARASHTRA, RESIDING AT KARIVELIL HOUSE, EROOR SPO, TRIPUNITHURA- 682 306. BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN PRADEEP KRISHNA SEENA S.

NAIR MANOJ K.S. RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR GENERAL DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O, KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD REG. NO. K NO.4377 REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. -26- 5 THE SUB-REGISTRAR O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAM P.O, KOTTAYAM- 686 004. 6 PIUSMON A.K FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT: RUBBER BOARD HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009. 7 **SAJEEVE K P PESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009. (NAME OF 6TH & 7TH RESPONDENTS ARE DELETED FROM THE PARTY ARRAY AS PER ORDER DATED 27.01.2023 IN IA NO. 1/2022 IN WPC NO. 2426/2022.) 8 ADDL.R8: RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS CONVENER, ADMINISTRATIVE COMMITTEE, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM -686009 (ADDITIONAL R8 IMPEADED AS PER ORDER DATED 31.01.2023 IN I.A.NO. 1/23 IN w.P(C)NO.2426 OF 2022). BY ADVS. LIJI.J.VADAKEDOM R.REJI KUMAR REXY ELIZABETH THOMAS TOM E. JACOB OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -27-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 2427 OF 2022 PETITIONER: JIJI. P. JOHN, AGED 47 YEARS, SON OF P. D . ULAHANNAN, STENOGRAPHER GR. 1, ESTABLISHMENT P SECTION, RUBBER BOARD HO, KOTTAYAM, RESIDING AT POWAMKULATHIL HOUSE, ETTUMANOOR P.O, KOTTAYAM- 686 631. BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN PRADEEP KRISHNA SEENA S. NAIR MANOJ K.S. RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES, OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR GENERAL DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O, KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD REG. NO. K NO.4377 REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. -28- 5 THE SUB-REGISTRAR, O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAM P O, KOTTAYAM- 686 004. 6 PIUSMON A.K FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT: RUBBER BOARD HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009. 7 SAJEEVE K P PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009. (NAME OF 6TH AND 7TH RESPONDENTS ARE DELETED FROM THE PARTY ARRAY AS PER ORDER DATED 27.01.2023 IN IA 1/2022 IN WPC NO. 8 ADDL.R8: RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS CONVENER, ADMINISTRATIVE COMMITTEE, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM -686009 (ADDITIONAL R8 IMPEADED AS PER ORDER DATED 31.01.2023 IN I.A.NO. 1/23 IN w.P(C)NO.2427 OF 2022). BY ADVS. LIJI.J.VADAKEDOM R.REJI KUMAR REXY ELIZABETH THOMAS TOM E. JACOB OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT

PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -29-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 2431 OF 2022 PETITIONER: K V. SIVAN AGED 58 YEARS, SON OF K.K.VITHON DY. RUBBER PRODUCTION COMMISSIONER, RUBBER BOARD REGIONAL OFFICE, MUVATTUPUZHA RESIDING AT F FOREST LODGE, KENCHERITHAZHA, KILUR P.O, PAYYOLI, KOZHIKKODE -673 522. BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN PRADEEP KRISHNA SEENA S. NAIR MANOJ K.S. RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR (GENERAL) DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O, KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD REG. NO. K NO.4377 REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. -30- 5 THE SUB-REGISTRAR O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAM P.O, KOTTAYAM- 686 004. 6 PIUSMON A.K FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT: RUBBER BOARD HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009. 7 SAJEEVE K P PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009. (NAME OF 6TH AND 7TH RESPONDENTS ARE DELETED FROM THE PARTY ARRAY AS PER ORDER DATED 27.01.2023 IN IA 1/2022 IN WPC NO. *8 ADDL.R8: RUBBER BOARD EMPLOYEES HOUSING

CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS CONVENER, ADMINISTRATIVE COMMITTEE, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM, PIN-686 009 *((ADDITIONAL R8 IMPEADED AS PER ORDER DATED 27.01.2023 IN I.A.NO. 1/23 IN w.P(C)NO.2431 OF 2022). BY ADVS. LIJI.J.VADAKEDOM R.REJI KUMAR REXY ELIZABETH THOMAS TOM E. JACOB OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -31-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 2452 OF 2022 PETITIONER: ASHOK. P AGED 54 YEARS, SON OF P.M.DAVID, ASSISTANT DEVELOPMENT OFFICER, RUBBER BOARD REGIONAL OFFICE, NAGAON, RESIDING AT PALLITHAZHE HOUSE, CHENAPPADY P.O, KANJIRAPPALLY (VIA), KOTTAYAM - 686 520. BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN PRADEEP KRISHNA SEENA S. NAIR MANOJ K.S. RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR (GENERAL) DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O, KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377) REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. -32- 5 THE SUB-REGISTRAR, O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAM P.O, KOTTAYAM- 686 004. 6 PIUSMON A.K FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT RUBBER BOARD

HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009. 7 SAJEEVE K P PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009. *8 ADDL.R8 RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS CONVENER, ADMINISTRATIVE COMMITTEE, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. *(ADDL.R8 IS IMPEADED AS PER ORDER DATED 27.01.2023 IN IA NO.1/2023 IN W.P(C) NO.2452 OF 2022) BY ADVS. LIJI.J.VADAKEDOM R.REJI KUMAR REXY ELIZABETH THOMAS TOM E. JACOB OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -33-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 2509 OF 2022 PETITIONER: SWAPNA KUMARI.A AGED 46 YEARS, WIFE OF BINU .G.NATH, JUNIOR ASSITANT GR1, ESTABLISHMENT SECTION. RUBBER BOARD, KOTTAYAM, RESIDING AT POURNAMI., KOLLADU.P.O, KOTTAYAM - 686 004. BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN PRADEEP KRISHNA SEENA S. NAIR MANOJ K.S. RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR (GENERAL) DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O, KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD (REG. NO. K NO.4377) REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P

O, KOTTAYAM - 686 009. -34- 5 THE SUB-REGISTRAR, O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAM P.O, KOTTAYAM- 686 004. 6 PIUSMON A.K FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT: RUBBER BOARD HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009. 7 SAJEEVE K P PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009. *8 ADDL.R8.RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS CONVENER, ADMINISTRATIVE COMMITTEE, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM -686 009. *(ADDL.R8 IMPEADED AS PER ORDER DATED 27-01-2023 IN IA BY ADVS. LIJI.J.VADAKEDOM R.REJI KUMAR REXY ELIZABETH THOMAS TOM E. JACOB OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -35-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE GOPINATH P. TUESDAY, THE 31ST DAY OF JANUARY 2023 / 11TH MAGHA, 1944 WP(C) NO. 2545 OF 2022 PETITIONER: SUSEELA . A AGED 56 YEARS, WIFE OF RATHINAVEL. S, ASSISTANT, RESEARCH OFFICE, RRII , KOTTAYAM, RESIDING AT QTRS. NO. 48 , TYPE 3, RRII CAMPUS, RUBBER BOARD P.O , KOTTAYAM-686 009. BY ADVS. R.REJI KUMAR P.R.JAYAKRISHNAN PRADEEP KRISHNA SEENA S. NAIR MANOJ K.S. RESPONDENTS: 1 STATE OF KERALA REPRESENTED BY THE SECRETARY, DEPARTMENT OF CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM - 695 001. 2 THE REGISTRAR OF CO-OPERATIVE SOCIETIES OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES, JAWAHAR CO-OPERATIVE BHAVAN, DPI JUNCTION, THIRUVANANTHAPURAM - 695 014. 3 THE JOINT REGISTRAR (GENERAL) DEPARTMENT OF CO - OPERATION, CIVIL STATION, COLLECTORATE P O,

KOTTAYAM - 686 002. 4 RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD (REG. NO. K NO.4377) REPRESENTED BY ITS SECRETARY, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM - 686 009. -36- 5 THE SUB-REGISTRAR O/O SUB REGISTRAR ADDITIONAL, MUTTAMBALAM P. O, KOTTAYAM- 686 004. 6 PIUSMON A.K FORMER SECRETARY, EMPLOYEES HOUSING CO-OPERATIVE SOCIETY, RESIDING AT: RUBBER BOARD HOUSING COLONY, RUBBER BOARD P O, KOTTAYAM - 686 009. 7 SAJEEVE K P PRESIDENT, RUBBER BOARD EMPLOYEES HOUSING CO-OPERATIVE SOCIETY LTD, RESIDING AT KAICHIRA HOUSE, RUBBER BOARD HOUSING COLONY, RUBBER BOARD PO, KOTTAYAM - 686 009. *8 ADDL.R8.RUBBER BOARD EMPLOYEES HOUSING CO- OPERATIVE SOCIETY LTD (REG. NO. K NO.4377), REPRESENTED BY ITS CONVENER, ADMINISTRATIVE COMMITTEE, RUBBER RESEARCH INSTITUTE OF INDIA, RUBBER BOARD P O, KOTTAYAM -686 009. *(ADDL.R8 IMPEADED AS PER ORDER DATED 31-01-2023 IN IA BY ADVS. LIJI.J.VADAKEDOM R.REJI KUMAR REXY ELIZABETH THOMAS TOM E. JACOB OTHER PRESENT BY ADV. THAJUDEEN P.P (SPL.G.P) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.01.2023, ALONG WITH WP(C).1973/2022 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -37-

JUDGMENT

[WP(C) Nos.1973, 1961, 1963, 2054, 2093, 2112, 2116, 2144, 2265, 2270, 2299, 2337, 2426, 2427, 2431, 2452, 2509, 2545 of 2022]

Petitioners in these cases are allottees of plots in a housing development project undertaken by the Rubber Board Employees Housing Co-operative Society Ltd., a Society registered under the provisions of the Kearla Co- operative Societies Act, 1969. The petitioners in these cases have raised various grievances regarding the activities of the aforesaid Society.

2. According to the petitioners, the managing

committee members of the Society had cornered the most valuable amongst the plots by paying amounts which are substantially less than the amounts paid or demanded from petitioners in these cases. They also raise a dispute regarding their liability to pay development charges/common area charges as demanded by the Society. However they do not dispute the land value fixed by the Society. -38-

3. When these matters came up for consideration

before me on 27-01-2023, after hearing the learned counsel appearing for the petitioners, the learned counsel appearing for the Society and the learned Special Government Pleader appearing for the State of Kerala and other official respondents, I had suggested to the learned counsel appearing for the petitioners in these cases that the reliefs sought for in these writ petitions could possibly be raised only in proceedings initiated under Section 69 of the Kerala Co-operative Societies Act, and not in a writ petition filed under Article 226 of the Constitution of India.

4. The learned counsel appearing for the petitioners in these cases sought time to obtain instructions from his clients and it is accordingly that these matters are listed for consideration today.

5. The learned counsel appearing for the Society

would submit that 29 persons amongst the allottees who are similarly placed like the petitioners in these cases have already paid the land value and the common area -39- charges/development charges and accordingly the sale deeds have been executed in their favour. It is submitted that if the petitioners in these cases pay the land value charges and also the common area charges/development charges in the same manner as was paid by the 29 allottees in whose favour the sale deeds have been executed, the plots in question can be conveyed to the petitioners in these cases, making it clear that all disputes raised by them including the dispute regarding their liability to pay common area charges/development charges can be adjudicated in proceedings under Section 69 of the Kerala Co-operative Societies Act.

6. The learned counsel appearing for the

petitioners in these cases would submit that if the liberty of the petitioners in these cases, to raise all disputes in proceedings under the Kerala Co-operative Societies Act is left open, these writ petitions can be disposed of directing that if the petitioners in these cases remit the amount payable by the the petitioners towards the land -40- value/development charges/common area charges, as made applicable in respect of the 29 persons to whom the plots have already been conveyed, the plots in question shall be conveyed to the petitioners. It is submitted that the liability of the petitioners to pay common area charges/development charges as well as any other disputes raised by them regarding the Society can be taken up before the appropriate Authority under the Kerala Co-operative Societies Act, 1969.

7. Having heard the learned counsel as above,

these writ petitions will stand disposed of directing that on the petitioners in these cases paying the amounts payable by them towards the land value/common area charges/ development charges as made applicable to the 29 allottees, to whom the land has already been conveyed, the plots allotted to the petitioners in these cases shall be conveyed to them by executing registered sale deeds. The cost of registration shall also be met by the petitioners. It will be open to the petitioners in these cases to either -41- individually or collectively approach the competent authority under the Kerala Co-operative Societies Act, 1969, for resolution of their disputes with the Society. All other contentions raised by the parties in these cases are left open for consideration, in such proceedings. This

order will not be treated as an adjudication by this Court

on any of the contentions raised by the parties in these cases. These writ petitions are disposed of as above. Sd/- GOPINATH P. JUDGE ats -42- APPENDIX OF WP(C) 1973/2022 PETITIONERS EXHIBITS Exhibit P.1 TRUE COPY OF BYE-LAWS OF 4TH RESPONDENT SOCIETY. Exhibit P.2 TRUE COPY OF LIST OF BENEFICIARIES WITH PAYMENT DETAILS TO WHOM PLOTS ARE NOT TRANSFERRED TILL DATE. Exhibit P.3 TRUE COPY OF OFFER /NOTICE

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UNDER THE RTI ACT SUBMITTED BY VEERAPUTHRAN S. BEFORE THE 3RD RESPONDENT. Exhibit P35 TRUE COPY OF REPLY NO.AEL/1385/2021 DATED 12-10-2021 RECEIVED FROM THE 4TH RESPONDENT BY VEERAPUTHRAN S. -49- APPENDIX OF WP(C) 1963/2022 PETITIONERS EXHIBITS Exhibit P.1 TRUE COPY OF BYE-LAWS OF 4TH RESPONDENT SOCIETY. Exhibit P.2 TRUE COPY OF LIST OF BENEFICIARIES WITH PAYMENT DETAILS TO WHOM PLOTS ARE NOT TRANSFERRED TILL DATE. Exhibit P.3 TRUE COPY OF OFFER /NOTICE DATED 12-09-2014 ISSUED BY 4TH RESPONDENT SOCIETY. Exhibit P.4 TRUE COPY OF NOTICE DATED 09-10-2014 ISSUED BY 4TH RESPONDENT SOCIETY Exhibit P.5 TRUE COPY OF NOTICE DATED 22-01-2015 ISSUED BY THE 4TH RESPONDENT SOCIETY. Exhibit P.6 TRUE COPY OF NOTICE / COMMUNICATION DATED 22-03- 2017 ISSUED BY 4TH RESPONDENT SOCIETY. Exhibit P.7 TRUE COPY OF NOTICE DATED 22-02-2018 ISSUED BY 4TH RESPONDENT SOCIETY Exhibit P.8 TRUE COPY OF NOTICE DATED 21-12-2018 ISSUED BY 4TH RESPONDENT SOCIETY Exhibit P.9 TRUE COPY OF NOTICE DATED 27-11-2019 ISSUED BY 4TH RESPONDENT SOCIETY. Exhibit P.10 TRUE COPY OF ORDER DATED 01-09-2016 ISSUED BY SENIOR TOWN PLANNER, LSGD DEPARTMENT. Exhibit P.11 TRUE COPY OF LAYOUT OF THIRUVANCHOOR HOUSING PROJECT PREPARED BY 4TH RESPONDENT. Exhibit P.12 TRUE COPY OF COMPLAINT DATED NIL SUBMITTED BY BIJUMON AND 25 OTHERS BEFORE 3RD RESPONDENT. Exhibit P.13 TRUE COPY OF COMPLAINT DATED 27-11-2019 SUBMITTED BY PUSHPA KUMARI BEFORE THIRD RESPONDENT. -50- Exhibit P.14 TRUE COPY OF ORDER DATED 25-02-2020 ISSUED BY 3RD RESPONDENT Exhibit P.15 TRUE COPY OF ORDER DATED 27-02-2020 ISSUED BY 3RD RESPONDENT Exhibit P.16 TRUE COPY OF ORDER DATED 04-08-2021 ISSUED BY JOINT SECRETARY, DEPARTMENT OF CO-OPERATION Exhibit P.17 TRUE COPY OF REPRESENTATION DATED 27-10-2020 SUBMITTED BEFORE THE 3RD RESPONDENT BY BOBAN MATHAI Exhibit P.18 TRUE COPY OF COMMON ALLOTMENT LETTER DATED 13-03-2020 ISSUED TO MEMBERS OF THE SOCIETY BY 4TH RESPONDENT Exhibit P.19 TRUE COPY OF ORDER DATED 02-12-2020 ISSUED BY THE 3RD RESPONDENT TO VEERAPUTHAN. Exhibit P.20 TRUE COPY OF DEMAND

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