

(2024) 11 KL CK 0010

High Court Of Kerala

Case No: Writ Petition (C) No. 38517 Of 2024

Leo Kunjachan

APPELLANT

Vs

State Of Kerala

RESPONDENT

Date of Decision: Nov. 1, 2024

Acts Referred:

- Kerala Co operative Societies Act, 1969 - Section 80(4)

Hon'ble Judges: Murali Purushothaman, J

Bench: Single Bench

Advocate: C.A.Chacko, C.M.Charisma, Babu V.P., M. M Monaye, Dheeraj

Final Decision: Disposed Of

Judgement

Murali Purushothaman, J

1. The 5th respondent issued Ext.P1 notification inviting application for two posts of Peon in the 4th respondent Bank. The petitioner states that both

the vacancies are reserved for candidates belonging to Scheduled Caste/Scheduled Tribe. According to the petitioner, this is against the provisions

contained in Section 80(4) of the Kerala Co-operative Societies Act, 1969 (for short, "the Act") and Ext.P2 circular issued by the Registrar of

Co-operative Societies. The petitioner further states that he belongs to the General category and by reserving both the posts for candidates belonging

to Scheduled Caste/Scheduled Tribe, he has been denied the right to participate in the selection. Aggrieved by Ext.P1, the petitioner has preferred

Ext.P3 representation before the 3rd respondent, the Joint Registrar (General) of Co-operative Societies.

2. Sri.M.M.Monaye, the learned Standing Counsel for respondents 4 to 6 submits that, Ext.P1 notification has been issued strictly in terms of Section 80(4) of the Act and Ext.P2 circular.

3. Since the petitioner has already preferred Ext.P3 representation before the 3rd respondent, there will be a direction to the 3rd respondent to consider the same, after hearing the petitioner and the 4th respondent Bank, as expeditiously as possible, and in accordance with law, at any rate, before the selection pursuant to Ext.P1 is completed.

The writ petition is disposed of with the above direction.