



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

FRIDAY, THE 31ST DAY OF JANUARY 2025 / 11TH MAGHA, 1946

WP(C) NO.19736 OF 2024

PETITIONER:

**THE PANANGAD SERVICE COROPERATIVE BANK LTD.NO.3928
BALUSSERY, KOZHIKODE.P.O., PIN -673612,
REPRESENTED BY ITS SECRETARY, RESIDING AT MANAKKAL
PARAMBIL, URAKAM.P.O., TRISSUR,, PIN - 680562**

**BY ADVS.
P.P.JACOB
JOHANS JACOB P.**

RESPONDENTS:

- 1 THE BRAHMAGIRI DEVELOPMENT SOCIETY
PEASANT WORKER SOCIAL DEVELOPMENT FUND (PWSDF),
REG.NO. 57/99, KOLAGAPPARA, PATHIRIPALAM,
MEENANGADI, WAYANAD REPRESENTED BY ITS CHIEF
EXECUTIVE OFFICER., PIN - 673591**
- 2 THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (G)
KOZHIKODE, OFFICE OF THE JOINT REGISTRAR OF CO-
OPERATIVE SOCIETIES (G), PUTHIYARA, KOZHIKODE,
PIN - 673004**
- 3 THE DIRECTOR OF DAIRY DEVELOPMENT
PATTAM, THIRUVANANTHAPURAM, PIN - 695004**



- 4 THE REGISTRAR OF CO-OPERATIVE SOCIETIES
THIRUVANANTHAPURAM, PIN - 695001**
- 5 THE PRINCIPAL SECRETARY TO GOVERNMENT
AGRICULTURE(DIARY) DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001**

**BY ADVS.LATHA ANAND
MABLE C.KURIAN, SR.GP**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 31.01.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

**JUDGMENT**

The petitioner Co-operative Society has made a deposit of Rupees One Crore with the 1st respondent Society as per Ext.P6 receipts. Since the petitioner Society is in need of money for discharging its obligations, the petitioner sought for withdrawal of the amounts covered by Ext.P6. When there was delay on the part of the 1st respondent to disburse the amount, the petitioner has filed this writ petition for the following reliefs:

"i. Issue a writ of mandamus or any other writ order or direction directing the respondents 2 to 4 to ensure that the amount deposited by the petitioner with the first respondent is returned without delay.

ii. Issue a writ of mandamus or any other writ order or direction directing the respondents 2 to 4 to consider Ext.P11 representation and ensure that the amount of fixed deposit with the first respondent is



2025:KER:8153

returned with accrued interest to the petitioner immediately.

iii. Issue a writ of mandamus or any other writ order or direction directing the first respondent to repay the amount involved with interest in the fixed deposit covered by Ext.P6 and P12 immediately to the petitioner."

3. When the writ petition came up for consideration today, the learned Counsel for the 1st respondent submitted that the 1st respondent will pay the amount covered by Ext.P6 along with accrued interest to the petitioner Society in 12 equal monthly installments commencing from 01.04.2025.

In the light of the said submission, this writ petition is disposed of with a direction to the 1st respondent to disburse the amount covered by Ext.P6 to the petitioner, along with accrued interest, in 12 equal monthly installments commencing from 01.04.2025. If the 1st respondent



2025:KER:8153

defaults payment of any of the installments, it will be open to the petitioner to proceed against the 1st respondent for recovery of the whole amount, in accordance with law.

Sd/-

MURALI PURUSHOTHAMAN
JUDGE

sp/01/02/2025



APPENDIX OF WP(C) 19736/2024

PETITIONER EXHIBITS

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| Exhibit P1 | TRUE PHOTOCOPY OF THE ORDER ISSUED BY THE GOVERNMENT DATED 31.3.99 VIDE G.O. (MS) NO. 97/99/AD |
| Exhibit P2 | TRUE PHOTOCOPY OF THE LETTER ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER DATED 18.1.2020 |
| Exhibit P3 | TRUE PHOTOCOPY OF THE LETTER ISSUED BY THE JOINT REGISTRAR, KOZHIKODE TO THE ASSISTANT REGISTRAR DATED 23.1.21 |
| Exhibit P4 | TRUE PHOTOCOPY OF THE LETTER ISSUED BY THE JOINT REGISTRAR, TO R2 AND R4 DATED 02.02.2021 |
| Exhibit P5 | TRUE PHOTOCOPY OF THE LETTER ISSUED BY THE JOINT REGISTRAR, KOZHIKODE TO THE PETITIONER DATED 20.7.22 |
| Exhibit P6 | TRUE PHOTOCOPY OF THE FIXED DEPOSIT RECEIPTS DATED 23.2.2022, 30.5.2022 ALONG WITH CONFIRMATION CERTIFICATE DATED 8.5.23 ISSUED BY THE FIRST RESPONDENT |
| Exhibit P7 | TRUE PHOTOCOPY OF THE LETTER ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER DATED 15 9.22 |
| Exhibit P8 | TRUE PHOTOCOPY OF THE LETTER ISSUED BY THE PETITIONER TO THE FIRST RESPONDENT DATED 27.9.23 |



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| Exhibit P9 | TRUE PHOTOCOPY OF THE LETTER ISSUED BY THE PETITIONER TO THE CHAIRMAN OF THE FIRST RESPONDENT DATED 26.9.23 |
| Exhibit P10 | TRUE PHOTOCOPY OF THE ARBITRATION CASE DATED 24.3.24 SUBMITTED BUT RETURNED BY THE CO-OPERATIVE DEPARTMENT |
| Exhibit P11 | TRUE PHOTOCOPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENTS DATED 4.4.24 |
| Exhibit P12 | TRUE PHOTOCOPY OF THE CONFIRMATION CERTIFICATE ISSUED BY THE FIRST RESPONDENT DATED 22.4.2024 |