

B. Shivagegowda and Others

Vs

Kowdley Channappa And Another

Special Leave Petitions (Civil) Nos. 460-461 of 1987

(A. P. Sen, L. M. Sharma JJ)

03.12.1987

ORDER

1. After hearing learned counsel for the parties at quite some length, we find that there is non-implementation of the court's order dated March 26, 1987. In view of the subsequent events, we feel that this is pre-eminently a fit case where the State Government should exercise its powers under Section 27-A of the Karnataka Societies Registration Act, 1960 and appoint an Administrator to carry out the functions and duties of the Society till new elections are held to the Executive Committee in accordance with the directions contained in the aforesaid order dated March 26, 1987. We order accordingly.

2. In modification of paragraphs 2 and 3 of the said order, we direct that the Registrar, Cooperative Societies, Mandya shall prepare a list of life members eligible for voting at the elections as contemplated by paragraph 3 thereof, as per the formula set out in paragraph 4. We clearly that the list of life members so eligible to vote at the elections who shall constitute the electoral college shall comprise not only of the signatories to the Rules and Regulations framed on August 26, 1972 but also comprise of such life members or patrons who had paid subscriptions and been admitted as life members or patrons of the Society, in accordance with the bye-laws, as on January 1, 1980. The Registrar shall ensure that he completes the process of elections within two months from today.

3. Till the Administrator is appointed by the State Government under Section 27-A of the Act, the Collector, Mandya or an officer designated by him, shall take charge of the affairs of the Society, including the management of the Law College forthwith.

4. Special leave petitions are disposed of accordingly.

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