

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

TUESDAY, THE 22ND DAY OF SEPTEMBER 2015/31ST BHADRA, 1937

CRP.No. 455 of 2015 ()

AGAINST THE ORDER/JUDGMENT IN AIR 152/2005 of ADL.SUB COURT,
THALASSERY DATED 17-06-2015

REVISION PETITIONER(S)/1ST JUDGMNET DEBTOR:

JOY JOSEPH AGED 44 YEARS
S/O.JOSEPH, CHOLANPUZHA HOUSE, KOLAKKAD PO
KANICHAR PO, TAHALSSERY TALUK, KANNUR DISTRICT

BY ADV. SRI.K.MOHANAKANNAN

RESPONDENT(S)/DECREE HOLDER/2ND JUDGMNET DEBTOR:

1. FEDERAL BANK LTD
KELAKAM BRANCH, REPRESENTED BY BRANCH MANAGER, KELAKAM
KANNUR DISTRICT 670674

2. VALSAMMA
W/O.SEBASTIAN, THAIPALATH HOUSE, (PO)
KAKKAYANAD, THALASSERI TALUK, KANNUR DISTRICT 670675

R1 BY ADV. SRI.LAWRENCE D'CUNHA
R1 BY ADV. SRI.MATHEW BONSTANE
R1 BY ADV. SRI.K.C.JOY
R1 BY ADV. SRI.K.MADHUSOODANAN
R1 BY ADV. SRI.T.G.PAUL

THIS CIVIL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 22-09-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.ABRAHAM MATHEW, J.

C.R.P. No.455 of 2015

Dated this the 22nd day of September, 2015

JUDGMENT

Petitioner is the first judgment debtor in E.P.No.100 of 2009 in which the 1st respondent is the decree holder and the 2nd respondent, the second judgment debtor. The petitioner filed an application for a direction to the 1st respondent decree holder to implead KFC which is said to be one of his creditors. By the impugned order the learned Sub Judge has dismissed it.

2. Heard.

3. It is true that the impugned order is not a speaking order. But to that extent it is illegal. But that does not mean that the petitioner is entitled to the relief prayed for. A judgment debtor cannot compel the decree holder to implead his (judgment debtor's) other creditors in the execution petition. I do not find any merit in the CRP.

In the result, this C.R.P is dismissed.

**K.ABRAHAM MATHEW
JUDGE**