

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 13TH DAY OF FEBRUARY 2015/24TH MAGHA, 1936

WP(C).No. 2980 of 2015 (V)

PETITIONER:

**SANTHOSH M.S, AGED 37, S/O.M.K.SOMAN,
MUTHUVELIL HOUSE, BAISON VALLEY,
IDUKKI DISTRICT - 685 565.**

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENT(S):

- 1. THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO THE GOVERNMENT
REVENUE DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.**
- 2. THE STATE BANK OF TRAVANCORE,
DEVIKULAM BRANCH, REP. BY ITS BRANCH MANAGER,
DEVIKULAM.P.O., IDUKKI DISTRICT - 685 613.**
- 3. THE DISTRICT COLLECTOR,
COLLECTORATE, IDUKKI - 685 001.**
- 4. THE DEPUTY TAHSILDAR,
REVENUE RECOVERY, NEDUMKANDAM,
IDUKKI DISTRICT - 685 553.**
- 5. THE VILLAGE OFFICER, POTTENKAD,
BAISON VALLEY VILLAGE, IDUKKI DISTRICT- 685 565.**

**R1, R3 TO R5 BY GOVT. PLEADER SMT.SOBHA ANNAMMA EAPEN
R2 BY ADV. SRI.SATHISH NINAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

APPENDIX

PETITIONER(S)' EXHIBITS:

- P1- A TRUE COPY OF THE NOTICE ISSUED IN THE NAME OF THE FATHER OF THE PETITIONER DATED 22.2.2013.
- P2- A TRUE COPY OF THE NOTICES SERVED ON THE FATHER OF THE PETITIONER DATED 22.2.2013.
- P3- A TRUE COPY OF THE INTIMATION SERVED ON THE FATHER OF THE PETITIONER DATED 7.3.09.
- P4- A TRUE COPY OF THE STATEMENTS PROVIDED BY THE BANK DATED 6.2.2014.
- P5- A TRUE COPY OF THE LETTER OF THE FATHER OF THE PETITIONER TO THE SECOND RESPONDENT DATED 11.4.2013.
- P6- A TRUE COPY OF THE INTIMATION BY THE SECOND RESPONDENT DATED 15.12.2012.
- P7- A TRUE COPY OF THE INTIMATION BY THE FOURTH RESPONDENT DATED 15.1.2013.
- P8- A TRUE COPY OF THE JUDGMENT IN W.P(C)NO.22647 OF 2011 DATED 20.9.2011.

RESPONDENT(S)' EXHIBITS:

- NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.2980 of 2015
.....

Dated this the 13th day of February, 2015

J U D G M E N T

The petitioner who had availed of a loan from the respondent bank defaulted in repayment of the same. In the present writ petition, he is aggrieved by the action taken by the respondent bank in taking steps to recover the loan. When the matter came up for admission, it was found that the petitioner had already approached this Court through W.P.(C. No.22647 of 2011, claiming substantially the same relief as is sought for in the present writ petition. By Ext.P8 judgment, the said writ petition was disposed by permitting the petitioner to pay off the outstanding amounts to the respondent bank in 12 equal monthly instalments commencing from 01.11.2011. It is stated that the petitioner could not comply with the said direction. In that view of the matter, I am of the view that the present writ petition, which seeks substantially the same relief as already sought for in the earlier writ petition, and considered by this Court, cannot be maintained at the instance of the petitioner.

The Writ petition fails and is accordingly dismissed.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**

mns/

