

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA**

**MONDAY, THE 8TH DAY OF JUNE 2015/18TH JYAISHTA, 1937**

**WP(C).No. 8788 of 2009 (P)**  
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**PETITIONER(S):**  
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**V.SURENDRAN NAIR, L.D.TYPIST,  
OFFICE OF THE LABOUR COMMISSIONER  
HOUSING BOARD BUILDING, THIRUVANANTHAPURAM  
RESIDING AT NEELAMBARI, THOZHUVANCODE  
VATTIYOORKAVU P.O., THIRUVANANTHAPURAM, PIN-691 011.**

**BY ADV. SRI.KILLIYOOR P.GOPALAKRISHNAN NAIR**

**RESPONDENT(S):**  
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**1. KERALA STATE CO-OPERATIVE BANK LTD.,  
HEAD OFFICE BRANCH, P.B.NO.6514, COBANK TOWERS  
PALAYAM, THIRUVANANTHAPURAM.**

**2. THE ADMINISTRATIVE ASSISTANT,  
OFFICE OF THE LABOR COMMISSIONER  
HOUSING BOARD BUILDING, THIRUVANANTHAPURAM.**

**R1 BY ADV. SRI.GEORGE POONTHOTTAM, SC, KERALA STATE CO.OP BANK  
R2 BY SRI P.V.ELIAS, GOVERNMENT PLEADER**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08-06-2015, THE  
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**JV**

**WP(C) NO.8788/2009**

**APPENDIX**

**PETITIONER'S EXHIBITS:**

**P1 : COPY OF THE ORDER DATED 05.08.2008 ISSUED BY THE 1ST  
RESPONDENT**

**P2 : COPY OF THE RECEIPT ISSUED BY THE 1ST RESPONDENT**

**RESPONDENTS' EXHIBITS: N I L**

**//TRUE COPY//**

**P.A. TO JUDGE**

**JV**

**ANIL K. NARENDRA, J.**

**W.P.(C) No.8788 of 2009**

**Dated this the 8<sup>th</sup> day of June, 2015**

**JUDGMENT**

This writ petition has been filed by the petitioner who was a surety to the loan granted by the 1<sup>st</sup> respondent bank to one Harikumar. When there was default on the part of the borrower, recovery proceedings were initiated against the petitioner pursuant to Ext.P1 demand notice by deducting a sum of Rs.4,000/- per month from his salary. On 19.03.2009, this Court passed the following order:

"As of now, recovery against the petitioner will stand trimmed down to be at the rate of Rs.2,500/- per month. The bank will state the action taken against the co-obligants, including the debtor."

2. On 03.06.2015, when the writ petition came up for final hearing, there was no representation for the petitioner. The learned Standing Counsel for the respondent bank was directed to ascertain the present position of the Samridhi loan [A/c No.2029 (1.512.1834)] availed by the borrower in which the petitioner was a co-obligant.

3. Today, when the case was taken up for further consideration, there is no representation for the petitioner. The learned Standing Counsel for the respondent bank would submit that the loan account in question i.e., loan A/c No.2029 (1.512.1834) sanctioned to one Harikumar in which the petitioner was a co-obligant has already been closed.

Recording the aforesaid submission made by the learned Standing Counsel for the respondent bank, this writ petition is closed.

SD/-  
**ANIL K. NARENDRAN,**  
**JUDGE**

JV