

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 20TH DAY OF FEBRUARY 2015/1ST PHALGUNA, 1936

WP(C).No. 5338 of 2015 (N)

PETITIONER(S):

- 1. ELSAMMA THOMAS,
MAMPAZHAMTHOTTIL HOUSE,
VEZHAPRA P.O., RAMANKARY, ALAPPUZHA.**
- 2. THOMAS M.M., MAMPAZHAMTHOTTIL HOUSE,
VEZHAPRA P.O., RAMANKARY, ALAPPUZHA.**

**BY ADVS.SRI.UNNI. K.K. (EZHUMATTOOR),
SRI.S.ANISH,
KUM.ANU SANTHAN.**

RESPONDENT(S):

- 1. CHIEF MANAGER, STATE BANK OF TRAVANCORE,
REGIONAL OFFICE, ALAPPUZHA, XXIX/801,
OPP. S.D. COLLEGE, KALARCODE, ALAPPUZHA - 688 003.**
- 2. BRANCH MANAGER,
STATE BANK OF TRAVANCORE,
RAMANKARY BRANCH, RAMANKARY,
ALAPPUZHA - 689 595.**
- 3. MANAGING DIRECTOR,
STATE BANK OF TRAVANCORE, HEAD OFFICE, P.B. NO.34,
POOJAPPURA, THIRUVANANTHAPURAM- 695 012.**
- 4. SMT.SOUMYA M.THOMAS, W/O.PRATHYAS JOHN,
BETHEL KUNNATHUKALATHIL HOUSE,
KALATHIPADY, KOTTAYAM - 686 248,
NOW WORKING AT AL-EADEN HOSPITAL,
FARWANLY, KUWAIT.**

R1 TO R3 BY ADV. SRI.R.S.KALKURA, SC.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 5338 of 2015 (N)

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1: TRUE COPY OF THE NOTICE ISSUED UNDER S.13(2) OF THE ACT.

**EXT.P2: TRUE COPY OF THE NOTICE ISSUED BY THE ADVOCATE
COMMISSIONER ON 25.06.2014.**

**EXT.P3: TRUE COPY OF THE JUDGMENT DATED 03.09.2014 IN
WP(C)NO.23415/2014.**

EXT.P4: TRUE COPY OF THE SALE NOTICE ISSUED ON 29.12.2014.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.5338 OF 2015

Dated this the 20th day of February, 2015

J U D G M E N T

The petitioners who had availed of a housing loan and Suvidha loan from the respondent bank, have approached this Court challenging the action taken by the respondent bank for recovery of the defaulted amounts. When the matter came up for admission, it was noticed that the petitioners had earlier approached this Court seeking substantially the same reliefs as sought in the present writ petition, and this Court by Ext.P3 judgment had disposed the writ petition granting the petitioners instalments for the purposes of regularising the loan account maintained with the respondent bank. It is brought to my notice that the petitioners have not complied with the terms in Ext.P3 judgment. In such a scenario, I do not think it is open to the petitioners to approach this Court again through a fresh writ petition. Resultantly, the present writ petition cannot be maintained at the instance of the petitioners. The writ petition fails and is accordingly dismissed.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**

mns

