

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 23RD DAY OF FEBRUARY 2015/4TH PHALGUNA, 1936

WP(C).No.5631 of 2015 (D)

PETITIONERS:

1. SASI.B,S/O.BHASKARAN,AMBU NIVAS,
PARUTHIPALLI,KUTTICAL,THIRUVANANTHAPURAM.
2. SATHEESH KUMAR.P,S/O.BHASI,TERA - 31,SAPHYALYAM,
THOZHUVANCODE,VATTIYOORKAVU P.O.
THIRUVANANTHAPURAM - 695 013.
3. AKHILESH.S.S.,S/O.SASI.B.,AMBU NIVAS,
PARUTHIPALLI,KUTTICAL,THIRUVANANTHAPURAM.

BY ADV.SRI.RAJU SEBASTIAN VADAKKEKKARA

RESPONDENTS:

1. THE SOUTH INDIAN BANK LIMITED,REGIONAL OFFICE,
STATUE,M.G.ROAD,THIRUVANANTHAPURAM BRANCH - 695 574.
2. THE AUTHORISED OFFICER,SOUTH INDIAN BANK LIMITED,
REGIONAL OFFICE,STATUE,THIRUVANANTHAPURAM - 695 574.

BY SRI.GEORGE VARGHESE,SC,SOUTH INDIAN BANK

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No.5631 of 2015 (D)

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1:TRUE COPY OF THE JUDGMENT IN WPC NO.1065/2014 OF THIS COURT
DATED 10/1/2014.**

**EXT.P2:TRUE COPY OF THE PLAINT IN OS NO.898/2014 OF THE MUNSIFF COURT,
THIRUVANANTHAPURAM DATED 21/5/2014.**

**EXT.P3:TRUE COPY OF THE MC NO.791/2013 ON THE FILES OF THE CHIEF
JUDICIAL MAGISTRATE'S COURT, THIRUVANANTHAPURAM
DATED 4/11/2013.**

**EXT.P4:TRUE COPY OF THE OBJECTIONS FILED BEFORE THE CHIEF JUDICIAL
MAGISTRATE COURT, THIRUVANANTHAPURAM IN M.C NO.791/2013.**

**EXT.P5:TRUE COPY OF THE ORDER OF THE CHIEF JUDICIAL MAGISTRATE
COURT, THIRUVANANTHAPURAM IN MC NO.791/2013**

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

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A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.5631 OF 2015 (D)

Dated this the 23rd day of February, 2015

J U D G M E N T

The petitioners have approached this Court challenging the steps taken by the respondent bank to recover the loan amounts advanced to them on the default committed by the petitioners.

When the matter was taken up for admission, it was noticed that the petitioners had already approached this Court on an earlier occasion, and by Ext.P1 judgment, the petitioners were granted installment facility to pay the defaulted amounts to the respondent bank. It is brought to my notice that the petitioners have not complied with the directions in Ext.P1 judgment. Under the said circumstances, I am of the view that the present writ petition cannot be maintained, at the instance of the petitioners. Accordingly, the writ petition is dismissed as not maintainable.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**

prp

