

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

TUESDAY, THE 1ST DAY OF SEPTEMBER 2015/10TH BHADRA, 1937

WP(C).No. 10155 of 2009 (L)

PETITIONER(S):

**M.M.JAYAKUMAR, S/O.MADHAVAN,
AMAL SYSTEM AND SERVICES, VYAPARMANDIR, PALARIVATTOM,
ERNAKULAM-682 025, NOW RESIDING AT SIVASAKTHI HOUSE,
33/3033 A, VENNALA P.O., ERNAKULAM-682 028.**

BY ADV. SRI.P.BANI

RESPONDENT(S):

- 1. THE FEDERAL BANK LTD.,
BR.ALUVA RSS, PB NO.80. SANIYA CENTRE, PUMP JN.,
ALUVA-683 101 REP. BY CHIEF MANAGER.**
- 2. THE FEDERAL BANK LTD.,
REGD. OFFICE, ALUVA, KERALA.**

**BY ADVS. SRI.K.ANAND
SMT.LATHA KRISHNAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
01-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 10155 of 2009 (L)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1: A TRUE PHOTOCOPY OF THE SALE DEED DTD.28.6.2007.

EXT.P2: A TRUE PHOTOCOPY OF THE TREATMENT CERTIFICATE ISSUED BY
DR.ANTONY PAUL CHETTUPUZHA ON 30.8.2008.

EXT.P3: A TRUE PHOTOCOPY OF THE POSSESSION NOTICE DTD.23.10.2008 ISSUED
BY THE RESPONDENT.

EXT.P4: A TRUE PHOTOCOPY OF THE REQUEST LETTER BY THE PETITIONER TO
THE 1ST RESPONDENT DTD.18.12.2008.

EXT.P5: A TRUE PHOTOCOPY OF THE JUDGMENT IN WP(C) NO.4651/2009
DTD.12.2.2009.

EXT.P6: & P6(a): A TRUE PHOTOGRAPHS SHOWS THE PRESENT POSITION OF THE
BUILDING OF THE PETITIONER.

EXT.P7: A TRUE PHOTOCOPY OF THE REQUEST LETTER BY THE PETITIONER TO
THE 1ST RESPONDENT DTD.25.2.2009.

EXT.P8: A TRUE PHOTOCOPY OF THE DEPOSIT TO PAY-IN-SLIP FOR AN AMOUNT OF
RS.40,000/- DTD.23.3.2009.

EXT.P9: A TRUE PHOTOCOPY OF THE POSTAL RECEIPT DTD.23.3.2009.

EXT.P10: TRUE PHOTOCOPY OF THE PAY IN SLIP NO.11327300018441 DTD.3.4.2009.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 10155 of 2009

Dated this the 1st day of September, 2015

J U D G M E N T

The matter stands posted for orders. No representation for the petitioner.

2. This Court, as per interim order dated 07.04.2009, directed the respondent to put the property back to the possession of the petitioner on payment of the amount as stated by the bank.

3. Today, when the matter came up for hearing, the learned Standing Counsel for the respondent bank submitted that pursuant to the order dated 06.04.2009, the lock of the building has been removed and the petitioner has been put in possession.

As it appears that there is no surviving cause of action, the writ petition is closed without examining the merits.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

bka/-