

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 26TH DAY OF FEBRUARY 2015/7TH PHALGUNA, 1936

WP(C).No. 6089 of 2015 (I)

PETITIONER :

**SIVASANKARAN ACHARY, AGED 63 YEARS,
S/O.LATE LEKSHMANAN ACHARY, VINOD BHAVAN,
EDAYAM, VAYAKKAL P.O., KOLLAM-691548.**

BY ADV. SRI.SREEKANTH S.NAIR

RESPONDENTS :

**1. DEPUTY TAHSILDAR (RR)
TALUK OFFICE, PUNALUR P.O., KOTTARAKKARA-691305.**

**2. BRANCH MANAGER
UNION BANK OF INDIA, KOTTARAKKARA BRANCH
VIMALAMBIKA SHOPPING COMPLEX, PULAMON P.O.
KOTTARAKKARA-691531.**

**R1 BY GOVERNMENT PLEADER SRI. SUDHEESH KUMAR
R2 BY SRI.A.S.P.KURUP, SC, UBI**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 6089 of 2015 (I)

APPENDIX

PETITIONER'S EXHIBITS :

P1: COPY OF NOTICE DT 21/8/2014 SERVED ON 16/2/2015 TO THE PETITIONER.

P2: COPY OF JUDGMENT IN WPC NO., 28792/2012 OF THIS HONOURABLE COURT.

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.6089 OF 2015 (I)

Dated this the 26th day of February, 2015

J U D G M E N T

The petitioner, who had availed of a housing loan from the 2nd respondent bank, defaulted in repayment of the same. The limited prayer of the petitioner in the writ petition is for the grant of installment facility to effect repayment of the loan amount.

When the matter was taken up for admission, it was noticed that the petitioner had already approached this Court through W.P.(C). No.28792/2012 seeking substantially the same prayers as are sought for in the instant writ petition. On that occasion, by Ext.P2 judgment, this Court had granted the petitioner six equal and successive monthly installments to pay the amounts due to the respondent bank. It is not in dispute that the petitioner did not comply with the direction in the said judgment. Under these circumstances, I am of the view that the present writ petition claiming substantially the same reliefs as in the earlier writ petition, cannot be maintained, at the instance of the petitioner. Accordingly, the writ petition fails, and is accordingly dismissed.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp