

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 6TH DAY OF MARCH 2015/15TH PHALGUNA, 1936

WP(C).No. 7094 of 2015 (J)

PETITIONERS :

- 1. MRS.SARJABALA, AGED 61 YEARS,
W/O.RAVEENDRAN, THEKKUMKARA HOUSE, VARADIYAM,
AVANOOR.P.O., THRISSUR DISTRICT, PION-680547.**
- 2. MR.RAVEENDRAN, AGED 68 YEARS,
S/O.NARAYANAN THEKKUMKARA HOUSE, VARADIYAM
AVANOOR.P.O., THRISSUR DISTRICT, PION-680547.**

BY ADV. SRI.M.ANIL KUMAR

RESPONDENTS :

- 1. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL)
THRISSUR-680001.**
- 2. AUTHORISED OFFICER,
TRICHUR URBAN CO-OPERATIVE BANK LTD.NO.87
HEAD OFFICE, MISSION QUARTERS, THRISSUR-680001.**
- 3. THE MANAGER,
THE TRICHUR URBAN CO-OPERATIVE BANK LTD.NO.87
HEAD OFFICE, MISSION QUARTERS, THRISSUR-680001.**
- 4. RAHEENDRABAL, AGED 35 YEARS,
S/O.RAVEENDRAN, THEKKUMKARA HOUSE, VARADIYAM
AVANOOR.P.O., THRISSUR DISTRICT, PION-680547.**
- 5. RAGEENDRABAL, AGED 32 YEARS,
S/O.RAVEENDRAN, THEKKUMKARA HOUSE, VARADIYAM,
AVANOOR.P.O., THRISSUR DISTRICT, PION-680547.**
- 6. RAHEEBALA,, AGED 38 YEARS
D/O.RAVEENDRAN, THEKKUMKARA HOUSE, VARADIYAM
AVANOOR.P.O., THRISSUR DISTRICT, PION-680547.**

**R1 BY GOVERNMENT PLEADER SRI. SUDHEESH KUMAR
R2 & R3 BY SRI.C.D.DILEEP,SC,**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS

- P1: COPY OF THE PASS BOOK.
- P2: COPY OF THE ORDER DATED 21.02.2014 IN WPC.NO.5287/14 OF THIS HON'BLE COURT.
- P3: COPY OF THE PASS BOOK.
- P4: COPY OF THE SALE NOTICE.
- P5: COPY OF THE REPRESENTATION FILED BEFORE THE 2ND RESPONDENT.
- P6: COPY OF THE ADVERTISEMENT IN MATHRUBHOOMI NEWS DAILY DATED 01.02.2015.
- P7: COPY OF THE PAPER ADVERTISEMENT DATED 3.3.2015 OF MATHRUBHOOMI DAILY PUBLISHED BY THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS : **NIL.**

//TRUE COPY//

P.A. TO JUDGE

bp

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No. 7094 of 2015 (J)

.....
Dated this the 6th day of March, 2015

JUDGMENT

The petitioners, who had availed of a loan from the respondent Bank and defaulted in repayment of the same, have approached this Court aggrieved by the action taken by the respondent Bank for recovery of the loan amount in terms of the Securitisation and Reconstructions of Financial Assets and Enforcement of Security Interest Act, 2002.

2. When the matter was taken up for admission, it was noticed that, the petitioners had already approached this Court on an earlier occasion through W.P.(C) No.5287 of 2014, and this Court by Ext.P2 judgment had granted an installment facility to the petitioner to clear the defaulted amounts. It is not in dispute that the petitioner did not comply with the directions in Ext.P2 judgment.

Under this circumstances, I am of the view that, the present writ petition, that seeks substantially the same relief as already claimed in the earlier writ petition, cannot be maintained at the instance of the petitioner. Resultantly, this writ petition fails and is accordingly dismissed.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

AMV/07/03/