

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 20TH DAY OF MARCH 2015/29TH PHALGUNA, 1936

WP(C).No. 8894 of 2015 (J)

PETITIONER(S):

JOY JOHN, AGED 58 YEARS
S/O.JOHN, (MEMBER NO.2603)
KUNNATHUTHARAPEL HOUSE
MARANGATTUPILLY P.O.
KOTTAYAM DISTRICT.

BY ADV. SRI.K.G.ANIL BABU

RESPONDENT(S):

1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETY(GENERAL)
KOTTAYAM - 686 635.
2. THE MARANGATTUPILLY SERVICE CO-OPERATIVE BANK LTD.NO.3556
MARANGATTUPILLY P.O., KOTTAYAM DISTRICT,
PIN - 686 635.
3. THE SPECIAL SALE OFFICER
(UNIT INSPECTOR) FOR MARANGATTUPILLY SERVICE
CO-OPERATIVE BANK, O/O.ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES, MEENACHIL, PALA - 686 576.

R BY GOVERNMENT PLEADER SRI.T.R.RAJESH.
R BY SRI.SUNIL CYRIAC,SC,MARANGAT.S.COOP.BAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
20-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) NO.8894/2015

PETITIONER'S EXTS:

- EXT.P1 TRUE COPY OF THE NOTICE SHOWING THE ARREARS AS
RS.90,000/- TO BE RECOUPED TOWARDS THE LOAN ISSUED
BY THE SECOND RESPONDENT DATED 8.9.1999
- EXT.P2 TRUE COPY OF THE SALE NOTICE DATED 26.9.2001.
- EXT.P3 TRUE COPY OF THE SALE DOCUMENT NO.1122/1/04 DATED 15.6.2004.
- EXT.P4 TRUE COPY OF THE REQUEST SUBMITTED BY THE PETITIONER
DATED 16.2.2015 BEFORE THE FIRST RESPONDENT.

RESPONDENT'S EXTs: NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.8894 of 2015

Dated this the 20th day of March, 2015

J U D G M E N T

The petitioner seeks refund of the excess amount realised by sale of his properties. The petitioner relies on the Division Bench Judgment of this Court in WA.No.182 of 2010 and has submitted Ext.P4 representation with the first respondent.

2. I direct the first respondent to consider Ext.P4 representation with notice to the petitioner and the second respondent Bank. The needful shall be done within a period of one month from the date of production of a copy of this judgment.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.