

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 27TH DAY OF MARCH 2015/6TH CHAITHRA, 1937

WP(C).No. 9890 of 2015 (I)

PETITIONER :

**JOHNSON M.R.,
S/O. RAPPAL, MUZHIPARAMBIL HOUSE
CHOVOOR P.O., THRISSUR DISTRICT
PIN – 680 027.**

BY ADV. SRI.V.BINOY RAM

RESPONDENT(S) :

- 1. THE MANAGER
THE TRICHUR URBAN CO-OPERATIVE BANK
CHEVOOR BRANCH, CHURCH ROAD
CHEVOOR, THRISSUR, PIN – 680 027.**
- 2. THE AUTHORIZED OFFICER
THE TRICHUR URBAN CO-OPERATIVE BANK
HEAD OFFICE, P.B.NO.86,
MISSION QUARTER, THRISSUR
PIN – 680 001.**
- 3. JAISON M.J.,
S/O. JOHNSON M.R.,
MUZHIPARAMBIL HOUSE
CHOVOOR P.O., THRISSUR DISTRICT
PIN – 680 027.**
- 4. JOSHUA M.J.,
S/O. JOHNSON M.R.,
MUZHIPARAMBIL HOUSE
CHOVOOR P.O., THRISSUR DISTRICT
PIN – 680 027.**

R1& R2 BY ADV. SRI.C.D.DILEEP, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 : COPY OF THE JUDGMENT DATED 3-7-2014 OF THIS HON'BLE COURT
IN WP(C) NO. 10865/2014.

EXT.P2 COPY OF THE RELEVANT PAGE OF LOAN PASS BOOK.

EXT.P3 COPY OF THE SALE NOTICE DATED 23-2-2015 ISSUED BY THE 2ND
RESPONDENT.

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No.9890 of 2015 (I)

.....
Dated this the 27th day of March, 2015

JUDGMENT

The petitioner, who has approached this Court challenging revenue recovery steps initiated by the respondent Bank for sale of the secured assets for realisation of the defaulted loan amounts in terms of Securitisation and Reconstructions of Financial Assets and Enforcement of Security Interest Act, 2002, is a person who had already approached this Court, seeking an identical relief.

2. By Ext.P1 judgment, this Court took note of the fact that, inasmuch as the petitioner had not complied with the directions issued by this Court in an interim order, the petitioner was not entitled to the discretionary relief of this Court under Article 226 of the Constitution of India. Accordingly, by Ext.P1 judgment, the said writ petition was dismissed.

3. It is in these circumstances that, the petitioner has now approached this Court through the present writ petition seeking almost identical reliefs as was earlier sought for by the petitioner. Going by the conduct of the petitioner in not complying with the directions issued by this Court in the earlier writ petition, I am of the view that the present writ petition,

which claims substantially the same relief as already claimed on an earlier occasion, cannot be maintained at the instance of the petitioner. Resultantly, this writ petition fails and it is dismissed.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

AMV/27/03/

