

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 10TH DAY OF JUNE 2015/20TH JYAISHTA, 1937

WP(C).No. 12361 of 2015 (U)

PETITIONER(S):

**RUDRAN, S/O.N. GOPALAN,
GOKULAM VEEDU, P.O. KONGANNUR,
ATHOLI, KOILANDY TALUK, KOZHIKODE DISTRICT.**

BY RUDRAN (PARTY-IN-PERSON).

RESPONDENT(S):

- 1. SONIA. P., D/O. SREENIVASAN,
(ACCOUNTANT, KOOTALI GRAMA PANCHAYATH),
P.O. MALAPARAMB, EWS 169,
MALAPARAMBU HOUSING COLONY,
KOZHIKODE DISTRICT, PIN- 673 009.**
- 2. THE POST MASTER, HEAD POST OFFICE,
KOYILANDI, PIN-673 305, KOZHIKODE DISTRICT.**

**R1 BY ADV. SRI.P.VKUNHIKRISHNAN.
R2 BY ADV. SRI.N.NAGARESH, ASSIST. S.G. OF INDIA.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONERS' EXHIBITS:

- EXHIBIT P1 TRUE COPY OF EXTRACT OF RULE 4 OF THE POST OFFICE SAVINGS ACCOUNT RULES 1981.
- EXHIBIT P2 TRUE COPY OF THE LAWYER NOTICE DATED 01/11/2014 ISSUED TO THE 2ND RESPONDENT ON BEHALF OF 1ST RESPONDENT.
- EXHIBIT P3 TRUE COPY OF THE LETTER BEARING NO. APM(SB) MISC/KOYLANDI DATED 20/11/2014 FROM 2ND RESPONDENT.

RESPONDENTS' EXHIBITS:

- EXT.R1A COPY OF THE PETITION FILED BEFORE THE FAMILY COURT IN OP NO.627/2014 ON 18/07/2014.
- ANNEXURE R2A COPY OF THE REPRESENTATION SUBMITTED TO SUPERINTENDENT OF POST OFFICES, VADAKARA DIVISION DATED 30/10/2014.

//TRUE COPY//

P.A. TO JUDGE

rs.

K. VINOD CHANDRAN, J.

W.P.(C) No. 12361 of 2015 (U)

Dated this the 10th day of June, 2015

J U D G M E N T

The petitioner is aggrieved with the alleged freezing of his accounts having nos. MIS 4174 and SB 1045750 maintained at the Koyilandi Post Office. The petitioner alleges that the 1st respondent, who is his wife and now separated from him, has made a request to the 2nd respondent to freeze the accounts and hence the operation has been frozen.

2. The learned Assistant Solicitor General appearing for the 2nd respondent would submit that the aforementioned account numbers are in the joint names of the petitioner and 1st respondent and it was in such circumstance that neither the petitioner nor the 1st respondent could operate the accounts by themselves.

3. In such circumstances, there is no basis for the submission that the accounts have been frozen. Further, the learned counsel appearing for the 2nd respondent would submit that there are disputes pending between the petitioner and 1st respondent before the Family Court, Kozhikode, and that in O.P. No.519/2015 filed before the said Court there is an attachment of the said accounts. If that be so, the petitioner could only approach that Court and agitate his grievance before that Court.

The Writ Petition would stand closed leaving open all the contentions of both parties to be agitated before the appropriate Court.

Sd/-
K.VINOD CHANDRAN,
JUDGE