

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

THURSDAY, THE 1ST DAY OF OCTOBER 2015/9TH ASWINA, 1937

WP(C).No. 17692 of 2011 (J)

PETITIONER:

E. JOHNNISLE TILAK,
S/O, EBANNEEZER, AGED 59 YEARS,
ALLIED HOUSE, T.C NO. 26/2012, TUTORS LANE,
STATUE, THIRUVANANTHAPURAM.

BY ADVS.SRI.G.P.SHINOD
SRI.RAM MOHAN.G.

RESPONDENT:

THIRUVANANTHAPURAM SERVICE
CO-OPERATIVE BANK LTD., T. 131, PRESS ROAD,
STATUE, THIRUVANANTHAPURAM, REPRESENTED BY ITS
SECRETARY - 695 001.

R1 BY ADV. SRI.D.SAJEEV

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
01-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 17692 of 2011

Dated this the 1st day of October, 2015.

JUDGMENT

Heard the learned counsel for the petitioner and the learned counsel for the respondent Bank, apart from perusing the record.

2. The petitioner, having initially availed himself of a loan under a hire-purchase scheme from the respondent Bank, suffered Ext.P1 award of recovery at the instance of the respondent Bank, when the petitioner committed default. Later, though the petitioner challenged Ext.P1 award, the Kerala Co-Operative Tribunal, Trivandrum rejected the revision on the ground of delay, through Ext.P4 order. Eventually, assailing Ext.P4 order of the Tribunal, the petitioner has filed the present writ petition.

3. On the last occasion, on 29.09.2015, the learned counsel for the respondent Bank submitted that the petitioner had already paid the entire amount and closed the loan account. In proof thereof, she submitted a communication addressed to her by the respondent Bank.

4. Nevertheless, the learned counsel for the petitioner, then,

took time to get instructions from the petitioner. Today at the Bar, he has represented that the petitioner has, in fact, cleared the entire loan account and that nothing survives in the writ petition.

In the light of the subsequent developments and also in the light of the submissions made by the learned counsel for the petitioner as well as the respondent Bank that the petitioner has already cleared the loan account, this Court concludes that nothing has survived in the writ petition. Accordingly, this writ is closed. No order as to costs.

sd/- DAMA SESHADRI NAIDU, JUDGE.

rv

