

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

WP(C).No. 22219 of 2015 (B)

PETITIONER:

R.RAJASENAN NAIR, JUNIOR ACCOUNTANT,
KOLLAM DISTRICT CO-OPERATIVE BANK LTD.,
PUTHOOR EVENING BRANCH,
DEVIKA, KATHAKKODU P.O.,
KOLLAM - 691 543.

BY ADVS.SRI.M.K.CHANDRA MOHANDAS
SRI.MURALI MADANTHACODU
SRI.SHAKTHI PRAKASH
SRI.PRATHEEK VISWANATHAN

RESPONDENTS:

1. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
CIVIL STATION, COLLECTORATE, KOLLAM 691 001.
2. THE GENERAL MANAGER, KOLLAM DISTRICT
CO-OPERATIVE BANK LTD., KOLLAM 691 543.
3. M. RENJITH, RENJIT BHAVAN,
MUTHUPILAKKADU, SASTHAMKOTTA P.O.,
KOLLAM 691 506.

R2 BY SRI.T.R.HARIKUMAR, SC, KOLLAM DISTRICT CO-OPERATIVE BANK LTD.
BY GOVERNMENT PLEADER SRI. K.C. VINCENT

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : TRUE COPY OF NOTICE TO RECOVER THE LOAN LIABILITY OF THE 3RD RESPONDENT DATED 19.02.2015.
- EXHIBIT P2 : TRUE COPY OF THE APPLICATION SUBMITTED BEFORE THE 2ND RESPONDENT BY THE PETITIONER DATED 10.03.2015.
- EXHIBIT P3 : TRUE COPY OF THE PAY IN SLIP FOR THE MONTH OF JUNE 2015 DATED 24.06.2015.
- EXHIBIT P4 : TRUE COPY OF THE LETTER ISSUED BY THE 2ND RESPONDENT DATED NIL.
- EXHIBIT P5 : TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DATED 27.06.2015.
- EXHIBIT P6 : TRUE COPY OF THE LETTER OF THE 1ST RESPONDENT ISSUED TO THE 2ND RESPONDENT DATED 08.07.2015.
- EXHIBIT P7 : TRUE COPY OF THE CIRCULAR OF THE 2ND RESPONDENT DATED 01.07.2014.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 22219 OF 2015

Dated this the 23rd day of July, 2015

JUDGMENT

The petitioner stood as surety for a loan availed by the third respondent. The third respondent has since been terminated from service and terminal benefits are due to him. The contention of the petitioner is that the terminal benefits could be proceeded against exempting him from the liability to pay the dues towards the loan.

2. Ext.P5 representation filed by the petitioner in this regard is pending consideration. I direct the first respondent to consider Ext.P5 representation with notice to the petitioner and respondents 2 and 3. The needful shall be done within a period of one month from the date of receipt of a copy of this judgment.

3. No recovery shall be effected from the salary of the petitioner till orders are passed on Ext.P5 representation as directed above.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**