

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

WP(C).No. 24755 of 2014 (T)

PETITIONER(S):

KALLOORKAD FARMERS CO-OPERATIVE BANK LTD NO. 2605,
KALLOORKAD P.O., PIN-686668, ERNAKULAM DISTRICT
REPRESENTED BY ITS MANAGING DIRECTOR-IN-CHARGE
SANTHAMMA P.K.

BY ADV. SRI.P.V.BABY

RESPONDENT(S):

1. BIJU PAUL,
OONUKALLEL HOUSE, KALLOORKAD P.O.
ERNAKULAM DISTRICT-686668.
2. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES (GENERAL),
ERNAKULAM-682016.

R1 BY ADV. SRI.MATHEW JOHN (K)
R1 BY ADV. SRI.DOMSON J.VATTAKUZH
R BY GOVERNMENT PLEADER SRI.GIKKU JACOB.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
12-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

P1: COPY OF THE APPLICATION DATED 16/5/1995 SUBMITTED BY THE 1ST
RESPONDENT IN THE PETITIONER BANK.

P2: COPY OF THE RESOLUTION NO.136/2011 DATED 29/1/2005.

P3: COPY OF THE COMMUNICATION DATED 16/2/2005 SEND BY THE PETITIONER TO
THE 1ST RESPONDENT UNDER REGISTERED POST.

P4: COPY OF THE POSTAL RECEIPTS FOR HAVING SENT EXT.P3 TO THE 1ST
RESPONDENT ALONG WITH 3 OTHERS.

P5: COPY OF THE ORDER DATED 5/3/2014 OF THE 2ND RESPONDENT RECEIVED BY
THE PETITIONER ON 10/3/2014.

P6: COPY OF THE REPRESENTATION DATED 27/6/2014 SUBMITTED BY THE
PETITIONER TO THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.24755 of 2014

Dated this the 12th day of March, 2015

J U D G M E N T

The petitioner challenges Ext.P5 order on the following grounds:-

- i) Ext.P5 order has been passed without notice to the petitioner.
- ii) Ext.P5 order militates against Ext.P3 order as regards payment of interest.

2. I quash Ext.P5 order and direct the second respondent to pass fresh orders thereon. The same shall be done with notice to the petitioner within a period of one month.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.