

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

WP(C) .No. 28282 of 2014 (I)

PETITIONER(S) :

MR.SANALKUMAR K.P.,
AGED 50 YEARS, S/O. PUSHPANGADAN, KAIMADATHIL HOUSE,
28/3415 MURIYAT LANE, MAMANGALAM,
PALARIVATTAM, ERNAKULAM - 682 025.

BY ADV. SRI.VARGHESE P.CHACKO

RESPONDENT(S) :

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT,
HOME DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001.
2. THE SUPERINTENDENT OF POLICE,
CBI, SPECIAL CRIMES DIVISION, THIRUVANANTHAPURAM-695001.
3. THE BANKING OMBUDSMAN,
C/O. RESERVE BANK OF INDIA, BAKERY JUNCTION,
THIRUVANANTHAPURAM-695 033.
4. THE DISTRICT COLLECTOR,
ERNAKULAM DISTRICT, CIVIL STATION,
KAKKANAD - 682 030.
5. THE MANAGING DIRECTOR & C.E.O.,
INDIAN OVERSEAS BANK CENTRAL OFFICE, NO.763,
ANNASALAI, CHENNAI-02.
6. THE BRANCH MANAGER,
INDIAN OVERSEAS BANK, PALARIVATTAM BRANCH,
CHAKOS CHAMBERS, NEAR NH BYE PASS,
PALARIVATTAM POLICE STATION,
PALARIVATTAM, ERNAKULAM - 682 025.
7. THE SUB INSPECTOR OF POLICE,
PALARIVATTAM POLICE STATION, PALARIVATTOM, ERNAKULAM-682 025.

8. THE EXECUTIVE DIRECTOR,
LIFE INSURANCE CORPORATION OF INDIA, CENTRAL OFFICE,
FINANCE & ACCOUNTS DEPARTMENT, 3RD FLOOR, WEST WING,
YOGAKSHEMA, NARIMAN POINT, MUMBAI - 400021.

R1,R2,R4&7 BY ADV. STATE ATTORNEY
R5,R 6 BY ADV. SRI.SUNIL SHANKAR, SC, INDIAN OVERSEAS BANK
BY PUBLIC PROSECUTOR SMT.SAREENA
R BY SRI.P.CHANDRASEKHARA PILLAI, C.B.I.

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

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT.P1: TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE 7TH RESPONDENT INVESTIGATING AGENCY.
- EXT.P2: TRUE COPY OF THE RECEIPT ISSUED BY 7TH RESPONDENT TOWARDS RECEIPT OF EXHIBIT P1 COMPLAINT.
- EXT.P3: TRUE COPY OF THE CERTIFICATE NO.CUCEK/02/DATED 16/09/2011 ISSUED BY COCHIN UNIVERSITY COLLEGE OF ENGINEERING KUTTANAD, WHICH SHOWS THE APPROXIMATE FEE/EXPENDITURE FOR THE B.TECH COURSE.
- EXT.P4: TRUE COPY OF THE RECEIPT DATED 01/07/2011 ISSUED BY COCHIN UNIVERSITY COLLEGE OF ENGINEERING KUTTANAD SHOWING THE ADMISSION FEE FOR THE B.TECH COURSE.
- EXT.P5: TRUE COPY OF THE SANCTIONED EDUCATION LOAN DETAILS DATED 05/11/2010 ALONG WITH TERMS AND CONDITIONS.
- EXT.P6: TRUE COPY OF THE EDUCATION LOAN BREAKDOWN DETAILS, DATED 12/07/2013.
- EXT.P7: TRUE COPY OF THE PETITION DATED 01/12/2011 FILLED BY THE PETITIONER AGAINST THE RESPONDENT BANK BEFORE THE ERNAKULAM DISTRICT COLLECTOR.
- EXT.P8: TRUE COPY OF THE REPLY NO.LDM:EKM:864/2012-13 DATED 14/08/2012 ISSUED BY THE RESPONDENT BANK.
- EXT.P9: TRUE COPY OF THE STATEMENT OF LOAN DETAILS PRODUCED BY THE RESPONDENT BANK BEFORE THE RANKING OMBUDSMAN AS WELL TO THE PETITIONER.
- EXT.P10: TRUE COPY OF THE DIRECTION OF THE BANKING OMBUDSMAN IN OBO(T) 10084/201314015002114/2013-14 DATED 06/05/2014 TO THE RESPONDENT BANK.
- EXT.P11: TRUE COPY OF THE FALSE AND FABRICATED DOCUMENTS UNDER THE CAPTION "DECLARATION OF GOOD HEALTH" AS AGAINST THE PETITIONER.
- EXT.P12: TRUE COPY OF THE FALSE AND FABRICATED DOCUMENTS UNDER THE CAPTION, DELCARATION OF GOOD HEALTH AS AGAINST THE PETITIONER'S SON.
- EXT.P13: TRUE COPY OF THE BANK COPY OF THE DECLARATION OF GOOD HEALTH, VIDHYA JYOTHI WITH SURAKSHA INSURANCE SCHEME OF IOB, WHICH WAS PRODUCED BY THE BANK BEFORE THE BANKING OMBUDSMAN.

RESPONDENT (S) ' EXHIBITS :

EXT.R6 (A) : TRUE COPY OF THE LOAN APPLICATION FORM.

EXT.R6 (B) : TRUE COPY OF THE COVERING LETTER OF THE LEAD DISTRICT MANAGER
ENCLOSING REPRESENTATION OF THE PETITIONER.

EXT.R6 (C) : TRUE COPY OF THE REPLY OF THE 6TH RESPONDENT.

EXT.R6 (D) TRUE COPY OF THE LETTER OF THE OMBUDSMAN.

EXT.R6 (E) : TRUE COPY OF THE COMPLIANCE REPORT SENT TO THE OMBUDSMAN BY 6TH
RESPONDENT.

/TRUE COPY/

P.A.TO JUDGE

RVS.

B.KEMAL PASHA, J.

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W.P.(C). No.28282 of 2014

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Dated this the 6th day of October, 2015

J U D G M E N T

No representation for the petitioner. Last time also there was no representation for the petitioner. In the result, this Writ Petition (Civil) is dismissed for default.

**B. KEMAL PASHA
JUDGE**

DSV/6/10/15