

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 2ND DAY OF FEBRUARY 2015/13TH MAGHA, 1936

WP(C).No. 29562 of 2014 (U)

PETITIONER:

THE THALAYOLAPARAMBU FARMERS SERVICE
CO-OPERATIVE BANK LTD.NO.278, REPRESENTED
BY ITS MANAGING DIRECTOR,
THALAYOLAPARAMBU, KOTTAYAM - 686 605.

BY ADVS.SRI.P.N.MOHANAN
SMT.J.VINAYAKUMARI
SRI.C.P.SABARI

RESPONDENTS:

1. THE KADUTHURUTHY CO-OPERATIVE RUBBER
MARKETING & PROCESSING SOCIETY LTD. NO. K. 1397,
REPRESENTED BY MANAGING DIRECTOR,
KADUTHURUTHY - 686 604, KOTTAYAM.
2. THE MANAGING COMMITTEE OF THE KADUTHURUTHY
CO-OPERATIVE RUBBER MARKETING & PROCESSING
SOCIETY LTD. NO. K 1397 , REPRESENTED BY
PRESIDENT, KADUTHURUTHY - 686 604, KOTTAYAM.
3. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES(GENERAL), KOTTAYAM- 686 001.

R1 BY ADV. SRI.K.C.SANTHOSHKUMAR
R1 BY ADV. SMT.K.K.CHANDRALEKHA
BY GOVERNMENT PLEADER SRI. T.R. RAJESH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02-02-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 - TRUE COPY OF THE FD RECEIPTS ISSUED BY THE 1ST AND 2ND RESPONDENT BANK.
- EXHIBIT P2 - TRUE COPY OF THE JUDGMENT DATED 15/07/2013 IN W.P(C) 16248/2013.
- EXHIBIT P3 - TRUE COPY OF THE DETAILS OF THE LANDED PROPERTY HOLDING BY THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

V. CHITAMBARESH, J

WP(C) NO. 29562 OF 2014

Dated this the 2nd day of February, 2015

JUDGMENT

The liability to refund the amount in fixed deposit due to the petitioner is not disputed. The first respondent Society only seeks breathing time to repay the amount due to the petitioner with interest.

2. The amount in fixed deposit shall be refunded to the petitioner with the agreed interest in six equal bimonthly instalments starting from 02.03.2015.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd