

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

WP(C).No. 31224 of 2014 (C)

PETITIONER :

**VIDYA.U., AGED 24 YEARS,
"SAGAR", D/O.SARNGADHARAN SOUTH PANAMANNA ROAD,
KANNIAMPURAM, OTTAPALAM 679 104, PALAKKAD DISTRICT**

BY ADV. SRI.C.K.RAMAKRISHNAN

RESPONDENTS :

- 1. THE MANAGER, FEDERAL BANK
OTTAPPALAM BRANCH, GROUND FLOOR, NARAYANA TOWERS,
OTTAPPALAM, PALAKKAD DISTRICT PIN 679 104**
- 2. SARNGADHARAN, AGED 57 YEARS
"SAGAR", SOUTH PANAMANNA ROAD,
KANNIAMPURAM, OTTAPALAM 679 104
PALAKKAD DISTRICT (CO OBLIGANT)**
- 3. JANAKI, AGED 49 YEARS, "SAGAR"
W/O. SARNGADHARAN, SOUTH PANAMANNA ROAD,
KANNIAMPURAM, OTTAPALAM 679 104
PALAKKAD DISTRICT (CO OBLIGANT)**
- 4. THE VILLAGE OFFICER,
VILLAGE OFFICE I, OTTAPPALAM TALUK,
PALAKKAD DISTRICT 679 104**

R1 BY ADVS. SRI.GEORGE VARGHESE (MANACHIRACKEL)

SMT.SALI. P. MATHEW (MUNNAR)

R4 BY GOVERNMENT PLEADER SMT. SHOBA ANNAMMA EAPPEN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1: TRUE COPY OF THE NOTICE ISSUED BY THE BANK
DATED 03-03-2014
- EXHIBIT P2: TRUE COPY OF THE REPLY SUBMITTED BY THE 1ST RESPONDENT
DATED 03-03-2014
- EXHIBIT P3: TRUE COPY OF THE LETTER SUBMITTED BY THE PETITIONER'S
FATHER AFTER ENQUIRY WITH THE BANK DATED 13-05-2013.
- EXHIBIT P4: TRUE COPY OF THE LAWYER NOTICE DATED 13-08-2014.
- EXHIBIT P5: TRUE COPY OF REPLY NOTICES DATED 20-08-2014.
- EXHIBIT P6: TRUE COPY OF THE THE CIRCULAR ISSUED BY THE GOVERNMENT
DATED 20-09-2010.
- EXHIBIT P7: TRUE COPY OF THE DEMAND NOTICE FOR ATTACHMENT ISSUED BY
THE VILLAGE OFFICER DT 15-11-2014

RESPONDENT(S)' ANNEXURES :

- ANNEXURE A : COPY OF STATEMENT OF ACCOUNT IN THE NAME OF THE
PETITIONER KEPT AT THE R1.

//TRUE COPY//

P.S. TO JUDGE

bp

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.31224 OF 2014 (C)

Dated this the 21st day of January, 2015

J U D G M E N T

The limited prayer of counsel for the petitioner is for a direction to the 1st respondent Bank to consider and pass orders on Ext.P3 representation, that has been filed by the petitioner's father before the bank, seeking a waiver of interest on the loan amounts sanctioned to her and to keep the recovery steps in abeyance till such time as orders are passed by the 1st respondent.

2. I have heard Sri.C.K.Ramakrishnan, the learned counsel appearing for the petitioner as also Smt.Sobha Annamma Eappen, the learned Government Pleader appearing for the respondents.

On a consideration of the facts and circumstances of the case as also the submissions made across the Bar, I dispose the writ petition with a direction to the 1st respondent bank to consider and pass orders on Ext.P3 representation within a period of one month from the date of receipt of a copy of this judgment. The interim order passed

by this Court against the recovery action, shall continue to be in force till such time as orders are passed by the 1st respondent as directed in this judgment, and communicated to the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp