

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 22ND DAY OF DECEMBER 2015/1ST POUSHA, 1937

WP(C).No. 31194 of 2015 (Y)

PETITIONERS:

1. ISSAC P.JACOB, AGED 59 YEARS,
S/O.P.M.JACOB, RETIRED ASSISTANT SECRETARY,
KANGAZHA SERVICE CO-OPERATIVE BANK LTD.NO.1145,
KANGAZHA P.O., KOTTAYAM DISTRICT,
RESIDING AT PARAPPALLITHAZHE HOUSE, KANAM P.O.,
CHANGANACHERRY TALUK, KOTTAYAM DISTRICT, PIN-686 515.
2. T.T.SUDHAMANIAMMA,
RETIRED SECRETARY,
KANGAZHA SERVICE CO-OPERATIVE BANK LTD.NO.1145,
KANGAZHA P.O., KOTTAYAM DISTRICT,
RESIDING AT GOURI KRUPA, NEDUKUNNAM,
KOTTAYAM DISTRICT.
3. A.J.BRIJEETHAMMA,
RETIRED ASSISTANT SECRETARY,
KANGAZHA SERVICE CO-OPERATIVE BANK LTD.NO.1145,
KANGAZHA P.O., KOTTAYAM DISTRICT,
RESIDING AT MARUTHOOR, MAHATMA GANDHI ROAD,
VETTOOR P.O., KUMBAZHA, PATHANAMTHITTA DISTRICT.

BY ADVS.SRI.S.JAYAKRISHNAN
SRI.S.PARAMESWARA PRASAD

RESPONDENTS:

1. JOINT REGISTRAR (GENERAL), CO-OPERATIVE SOCIETIES, KOTTAYAM
PIN-686 002.
2. THE KANGAZHA SERVICE COOPERATIVE BANK LTD.NO.1145,
REPRESENTED BY ITS SECRETARY, KANGAZHA P.O.,
KOTTAYAM DISTRICT, PIN-686 541.

R2 BY ADV. SRI.P.N.MOHANAN
R BY SRI. G. GOPAKUMAR, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
22-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

: 2 :

APPENDIX

PETITIONERS' EXHIBITS :

P1: TRUE COPY OF THE COMMUNICATION ISSUED BY THE MANAGER(PNGS) LIC KOTTAYAM TO THE SECOND RESPONDENT.

P2: TRUE COPY OF THE JUDGMENT DT.8-7-15 IN WPC 10682/2014 OF THIS HON'BL COURT.

P3: TRUE COPY OF THE REPRESENTATION DT.24-8-2015 FILED BY THE 1ST PETITIONER BEFORE THE FIRST RESPONDENT.

P4: TRUE COPY OF THE REPRESENTATION DT.24-8-2015 FILED BY THE 2ND PETITIONER BEFORE FIRST RESPONDENT.

P5: TRUE COPY OF THE REPRESENTATION DT.9-9-15 FILED BY THE 3RD PETITIONER BEFORE THE FIRST RESPONDENT.

RESPONDENTS' EXHIBITS : NIL

/True Copy/

P.A to Judge.

DAMA SESHADRI NAIDU, J.

W.P. (C) No. 31194 of 2015 (Y)

Dated this the 22nd day of December, 2015.

JUDGMENT

The issue involved in this writ petition is similar to that in the judgment dated 23.06.2015 passed by this Court in W.P.(C) No. 1404 of 2015. The judgment dated 23.06.2015 was, in fact, based on the decision in Retnavally v. Ambalapad Service Co-operative Bank [2005 (3) KLT 320].

Accordingly, this Court allows the writ petition directing the respondent Bank to pay to the petitioners the balance amount along with interest within two months from the date of receipt of a copy of this judgment, as has been directed in Retnavally (supra) by this Court.

sd/- DAMA SESHADRI NAIDU, JUDGE.

W.P.(C.) No.

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