

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 20TH DAY OF OCTOBER 2015/28TH ASWINA, 1937

WP(C).No. 31717 of 2015 (L)

PETITIONER(S):

**S.G. KRISHNADEVI, AGED 48 YEARS,
D/O.SARADA AMMA, KRISHI BHAVAN, THEKKUMKARA,
NEDUMANGAD , THIRUVANANTHAPURAM.**

**BY ADVS.SRI.G.RANJU MOHAN
SMT.M.SANTHI (K/868/2011)**

RESPONDENT(S):

- 1. SUB TREASURY OFFICER, FORT,
THIRUVANANTHAPURAM.**
- 2. THE SECRETARY, ANANTHAPURAM CO-OPERATIVE BANK
LIMITED NO.T-184, HEAD OFFICE AT KAITHAMUKKU,
THIRUVANANTHAPURAM.**
- 3. THE MANAGER,
ANANTHAPURAM CO-OPERATIVE SOCIETY LIMITED, NO.T-184,
KAITHAMUKKU BRANCH, THIRUVANANTHAPURAM.**
- 4. V.VISWANATHAN NAIR,
HIGHLY SKILLED TECHNICIAN -II, TRANSFORMER WINDING,
KELTRON, KARAKULAM (PO), THIRUVANANTHAPURAM.**
- 5. B.HARIKUMAR,
T.C.28/1621, PILLA VEEDU, SREEKANTESWARAM,
FORT (PO), THIRUVANANTHAPURAM.**

R1 BY GOVERNMENT PLEADER SRI.MANOJ P. KUNJACHAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
20-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 31717 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1-A TRUE COPY OF THE COMPLAINT FILED BY THE 4TH RESPONDENT BEFORE
THE KERALA LOK AYUKTA.**

P2- A TRUE COPY OF THE ORDER OF HONOURABLE LOK AYUKTA DATED 11.9.2015

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 31717 of 2015

Dated this the 20th day of October, 2015

JUDGMENT

The petitioner was a guarantor of a loan availed by the 5th respondent from the 3rd respondent society. The 4th respondent is also one of the co-sureties for the said loan.

2. The 4th respondent filed a complaint before the Lok Ayuktha stating that no action has been taken to recover the amount from the petitioner on account of influence exerted before the 2nd and 3rd respondent.

3. The learned counsel for the petitioner also submits that the petitioner is prepared to clear the entire amount. The petitioner also seeks time.

4. As per Ext.P2, the Lok Ayuktha issued an order of bailable warrant to the 5th respondent.

5. This Court is of the view that since no warrant has been issued against the petitioner, there is no cause

of action to the petitioner to challenge Ext.P2 before this Court. However, the petitioner is free to raise objections before the Lok Ayuktha regarding jurisdiction and the matters relating to the complaint.

Recording the submission that the petitioner is prepared to clear the entire amount, with liberty to raise objections before the Lok Ayuktha, the writ petition is disposed of. The petitioner shall appear before the Lok Ayuktha on the next posting date.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE

bpr