

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. 36472 of 2010 (H)

PETITIONER:

OUSEPH JOSEPH, AGED 82 YEARS,
S/O. OUSEPH, KOTTOOR HOUSE,
C.M.C.NO.4, NEAR POOTHOTTA BRIDGE,
CHERTHALA-688 524, ALAPPUZHA DISTRICT.

BY ADVS. SRI. P.C. CHACKO (PARATHANAM)
SMT ASHA CHACKO

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF CO-OPERATIVE SOCIETIES
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695001.
 2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM-695 001.
 3. THE JOINT REGISTRAR, CO-OPERATIVE SOCIETIES,
OFFICE OF THE JOINT REGISTRAR,
ALAPPUZHA.P.O., ALAPPUZHA, PIN-688 524.
 4. THE ASST. REGISTRAR, O/O. ASSISTANT
REGISTRAR OF CO-OPERATIVE SOCIETIES,
CHERTHALA.P.O., ALAPPUZHA DISTRICT, PIN-688 524.
 5. THE SECRETARY, CO-OPERATIVE AGRICULTURAL
RURAL DEVELOPMENT BANK LTD., A-327, (CARD BANK)
CHERTHALA.P.O., PIN-688 524.
 - ADDL. 6. NODAL OFFICER, CO-OPERATIVE AGRICULTURAL
RURAL DEVELOPMENT BANK LTD., A-327
(CARD BANK), CHERTHALA P.O. PIN 688 524.
 - „ 7. SECRETARY, KERALA STATE KARSHIKA KADASWASA
COMMISSION, VENPALAVATTOM, ANAYARAM P.O.
THIRUVANANTHAPURAM - 695 029

ADDL. R6 AND R7 ARE IMPEADED AS PER ORDER DATED 14.12.2010 IN IA NO.
17359/2010.

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 RECEIPTS ISSUED BY THE 5TH RESPONDENT
SERIES : BANK IN RESPECT OF THE FIRST LOAN AVAILED BY THE
PETITIONER.
- EXHIBIT P2 : TRUE COPY OF THE RECEIPT IN RESPECT OF THE SECOND LOAN.
- EXHIBIT P3 : TRUE COPY OF THE ORDER PASSED BY THE 3RD RESPONDENT
DATED 16.12.2008.
- EXHIBIT P4 : TRUE COPY OF THE CIRCULAR DATED 05.06.2008 VIDE NO. CG(2)/
12024/2009 VIDE CIRCULAR NO. 41/2008.
- EXHIBIT P5 : TRUE COPY OF THE REPRESENTATION DATED 14.07.2008
SUBMITTED BY THE PETITIONER BEFORE THE 5TH RESPONDENT.
- EXHIBIT P6 : TRUE COPY OF THE PETITION SUBMITTED BY THE PETITIONER
BEFORE THE 5TH RESPONDENT DATED 03.08.2008.
- EXHIBIT P7 : TRUE COPY OF THE PETITION FILED BY THE PETITIONER DATED
07.08.2008 BEFORE THE RIGHT TO INFORMATION OFFICER OF THE
5TH RESPONDENT.
- EXHIBIT P8 : TRUE COPY OF THE NOTICE DATED 08.03.2010 ISSUED BY THE
5TH RESPONDENT TO THE PETITIONER.
- EXHIBIT P9 : TRUE COPY OF THE DISCHARGE CARD DATED 10.10.1997 ISSUED
FROM THE MEDICAL COLLEGE HOSPITAL, ALAPPUZHA TO THE
PETITIONER.
- EXHIBIT P10 : TRUE COPY OF THE PRESCRIPTION ISSUED TO THE PETITIONER
FROM THE REGIONAL CANCER CENTRE, THIRUVANANTHAPURAM
DATED 06.01.2003.
- EXHIBIT P11 : TRUE COPY OF THE REPRESENTATION DATED 14.07.2008 MADE
BY THE PETITIONER BEFORE THE 6TH RESPONDENT.
- EXHIBIT P12 : TRUE COPY OF THE PETITION SENT BY THE PETITIONER WITH
REGISTERED POST TO THE KERALA KARSHIKA KADASWASA
COMMISSION DATED 03.07.2007.
- EXHIBIT P13 : TRUE COPIES OF THE NOTICES DATED 22.01.2011 ISSUED BY THE
SERIES : 5TH RESPONDENT TO THE PETITIONER.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 36472 OF 2010

Dated this the 2nd day of February, 2015

JUDGMENT

The petitioner claims the benefit of Ext.P4 scheme in regard to agricultural debts. Exts.P5 and P6 representations are pending in this regard with the fifth respondent bank.

2. I direct the fifth respondent to consider Exts.P5 and P6 representations. The same shall be done with notice to the petitioner within a period of two months. The applicability of Ext.P4 scheme shall be considered by the fifth respondent. A statement of accounts shall also be furnished to the petitioner accordingly.

3. The entire exercise shall be completed within a period of two months from today. Further proceedings pursuant to Ext.P14 notice shall be put on hold in the meanwhile.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**