

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 30TH DAY OF JANUARY 2015/10TH MAGHA, 1936

WP(C).No. 34526 of 2014 (M)

PETITIONER(S):

PRADEEP KUMAR, AGED 39 YEARS
S/O.CHANDRA SEKHARAN, PROPRIETOR, K.P.AYURVEDICS
11/365(14) MAK BUILDING, KANNARA STREET
PALAKKAD-678 014

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENT(S):

THE CORPORATION BANK
REP.BY ITS AUTHORIZED OFFICER (ASST.GENERAL
MANAGER) ZONAL OFFICE
KOCHI, PUKALAKKAT CHAMBERS
PALARIVATTOM COCHIN-682 025

BY SRI.VIVEK VARGHESE P.J.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
30-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 34526 of 2014 (M)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1 - A TRUE COPY OF THE NOTICE DATED 21 MAY 2014 ISSUED BY THE
RESPONDENT

EXT.P2 - A TRUE COPY OF THE JUDGMENT DATED JULY 21, 2014 IN WPC
NUMBER 15074 OF 2014 OF THIS HONOURABLE COURT

EXT.P3 - A TRUE COPY OF THE RELEVANT PAGES OF THE BANK PASS BOOK IN
RESPECT OF THE TERM LOAN ACCOUNT

EXT.P4 - A TRUE COPY OF THE RELEVANT PAGES OF THE BANK PASS BOOK FOR
THE OVER DRAFT FACILITY

EXT.P5 - A TRUE COPY OF THE E-TENDER NOTICE DATED NOVEMBER 8, 2014
ISSUED BY THE FIRST RESPONDENT BANK

RESPONDENT(S) ' EXHIBITS:NIL

//TRUE COPY//

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.34526 OF 2014

Dated this the 30th day of January, 2015

J U D G M E N T

The petitioner has approached this Court through the present writ petition seeking the grant of instalments for repayment of the loan amounts availed from the respondent bank. It is seen that, praying for substantially the same relief, the petitioner had already approached this Court earlier, through W.P.(C).No.15074 of 2014, and the said writ petition was disposed by Ext.P2 judgment, wherein the petitioner was granted the facility of repayment in instalments. It is the case of the petitioner, in the present writ petition, that pursuant to the directions in Ext.P2 judgment, the petitioner was not able to effect repayments as directed by this Court, and hence, the respondent bank proceeded with recovery steps as contemplated in Ext.P2 judgment itself. Inasmuch as the petitioner had already approached this Court and obtained a judgment in his favour, I do not think the present writ petition, praying for substantially the same reliefs, as already granted in Ext.P2 judgment, can be maintained at the instance of the petitioner. Thus, leaving it open to the petitioner to pursue his remedies against Ext.P2 judgment, if he is so aggrieved, the present writ petition is dismissed as not maintainable.

A.K.JAYASANKARAN NAMBIAR
JUDGE

