

Kerala High Court

M.K.Gopalakrishnan vs The Joint Registrar Of ... on 30 January, 2009

IN THE HIGH COURT OF KERALA AT ERNAKULAM

WP(C).No. 3192 of 2009(E)

1. M.K.GOPALAKRISHNAN, PAINKAYIL HOUSE,
... Petitioner

Vs

1. THE JOINT REGISTRAR OF CO-OPERATIVE
... Respondent

2. THE ASSISTANT REGISTRAR OF CO-OPERATIVE

3. IRINJALAKUDA CO-OPERATIVE AGRICULTURAL

4. THE BRANCH MANAGER, IRINJALAKKUDA

5. KERALA STATE CO-OPERATIVE AGRICULTURAL

For Petitioner : SRI.K.PRAVEEN KUMAR

For Respondent : No Appearance

The Hon'ble MR. Justice THOTTATHIL B.RADHAKRISHNAN

Dated : 30/01/2009

O R D E R

THOTTATHIL B. RADHAKRISHNAN, J.

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W.P.(C).No.3192 of 2009-E

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Dated this the 30th day of January, 2009.

JUDGMENT

Learned Government Pleader appears for respondents 1 and 2. Notice to respondents 3 to 5 is dispensed with preserving their right to move for review of this judgment, if aggrieved. The petitioner availed a loan from respondents 3 and 4. It appears that the transaction is primarily funded by the fifth respondent. The first respondent issued Ext.P7 directing the third respondent to give the petitioner certain deductions in the total outstandings, having regard to the factors stated in Ext.P7 relatable to the rate of interest that could be charged on the basis of circulars. The complaint of the petitioner is that Ext.P7 is not being honoured and that Ext.P9 has been issued by the third respondent seeking repayment of amount which is far more than what is covered by Ext.P7. That is not a matter on which this Court should interfere since if the first respondent has issued Ext.P7, it will be within his authority to see that its enforcement is also done. To enable the petitioner to move the first respondent and seek further relief against Ext.P9, it is ordered that enforcement of Ext.P9 will stand suspended for three weeks. The writ petition is ordered accordingly.

THOTTATHIL B. RADHAKRISHNAN, JUDGE.

Sha/120209