

Johny and Another vs Puthur Service Co.Op.Bank Ltd.

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Court : Kerala Orders

Decided On : Jun-04-2026

Judge : Honourable Mr. Justice Gopinath P.

Appeal No. : WP(C)/21946/2008

Appellant : Johny and Another

Respondent : Puthur Service Co.Op.Bank Ltd.

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT : THE HONOURABLE MR. JUSTICE THOTTATHIL
B.RADHAKRISHNAN TUESDAY, THE 22ND JULY 2008 / 31ST ASHADHA 1930
WP(C).No. 21946 of 2008(K) ----- PETITIONERS:

1. JOHNY, S/O.VAREETH, CHERADAYIL HOUSE P.O

2. LEELA JOHNY, W/O. JOHNY, CHERADAYIL HOUSE P.O BY ADV.
SRI.K.I.SAGEER RESPONDENTS: -----

1. PUTHUR SERVICE CO-OPERATIVE BANK LTD., PUTHUR, REPRESENTED
BY ITS SECRETARY.

2. JOINT REGISTRAR (GENERAL), THRISSUR.

3. ASSISTANT REGISTRAR (GENERAL), THRISSUR.

4. STATE OF KERALA, REPRESENTED BY ITS SECRETARY, CO-OPERATIVE DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM. R2 TO R4 BY SR. GOVERNMENT PLEADER SMT.ANU SIVARAMAN THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/07/2008, ALONG WITH W.P.(C).21982 OF 2008, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

WP(C).Nos.21946/2008-K & 21982/2008-P Dated this the 22nd day of July, 2008.

JUDGMENT

Heard the learned Senior Government Pleader for respondents 2 to 4. Notice to the first respondent is dispensed with preserving its right to move this Court for review of this judgment, if aggrieved.

The petitioners in these writ petitions had different transactions with the first respondent bank. It appears that the Joint Registrar had concluded that there were over payments from the petitioners in excess of what they could have been compelled to pay on the basis of the circular issued by the Registrar touching such transactions. In spite of such orders of the Joint Registrar, the first respondent bank has not made refund etc. WP(C)21942 & 21982/2008 :- 2 :-

or obey the command of the Joint Registrar. These are matters which the Joint Registrar can consider and ensure obedience of his orders particularly when disobedience of the orders issued by the statutory authorities would tantamount to a situation which may require the statutory authorities to look into the functioning of the committee of the bank. Under such circumstances, the Joint Registrar the second respondent is directed to issue such further orders as are necessary to

ensure that the decisions of the second respondent as are referred to in these writ petitions are taken to their logical end appropriately. The petitioners are directed to place copies of these writ petitions and copies of this judgment before the second respondent for compliance as directed above.

THOTTATHIL B. RADHAKRISHNAN, JUDGE. Sha/230708

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