

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 31ST DAY OF AUGUST 2015/9TH BHADRA, 1937

WP(C).No. 3794 of 2012 (Y)

PETITIONER(S):

**SAROJINI.K.,
AGED 46 YEARS, W/O.PREBHAKARAN, KALLYATTI HOUSE
KOTTAPPADAM, MANNARKKAD, PALAKKAD-678 583.**

BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT(S):

**KERALA STATE HOUSING BOARD
DIVISION OFFICE, PALAKKAD-678 014
REP. BY ITS SECRETARY.**

R BY SRI.GEORGE BOBAN, SC, K.S.H.B.

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
31-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE SALE NOTICE ISSUED BY THE RESPONDENT.

EXT.P2: COPY OF THE WEB PAGE SHOWING THE CONDITIONS FOR ONE TIME SETTLEMENT SCHEME IN THE RESPONDENT'S OFFICE.

EXT.P3: COPY OF THE LETTER DATED 24.1.2011 ISSUED BY THE RESPONDENT.

EXT.P4: COPY OF THE RATION CARD NO.1949034143.

EXT.P5: COPY OF THE COMMUNICATION DATED 11.01.2012.

RESPONDENTS EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.3794 OF 2012 (Y)

Dated this the 31st day of August, 2015

J U D G M E N T

The petitioner challenges the revenue recovery proceedings initiated by the respondent, against the property of the petitioner. The said property was given as security by the previous owner of the property while availing financial assistance from the respondent. It is the case of the petitioner that the petitioner was not aware of the fact that the property in question had been mortgaged as security for the loan advanced to the previous owner of the property, and it is under these circumstances that the petitioner has approached this Court when the respondent initiated recovery steps under the Kerala Revenue Recovery Act.

2. When the matter was taken up for orders today, it is submitted by the learned standing counsel for the respondent that there is a One time Settlement scheme [OTS] in vogue, the benefit of which the petitioner can also avail, if she so desires. Counsel for the petitioner submits that the petitioner would like to explore the option

of the OTS Scheme, and the writ petition can be closed by reserving the right of the petitioner to approach the respondent with an application for extension of the OTS Scheme.

3. I have heard the learned counsel for the petitioner as also the learned Standing counsel for the respondent.

Taking note of the submissions of counsel on either side, I close the writ petition by recording the submission of counsel for the petitioner that the petitioner would like to explore the option of OTS Scheme that is stated to be in force up to 30.9.2015. Accordingly, if the petitioner prefers an application before the respondent, within a period of two weeks from the date of receipt of a copy of this judgment, then the respondent shall consider the same in accordance with the existing OTS Scheme, and take an appropriate decision in the matter with due notice to the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp