

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 22ND DAY OF JANUARY 2015/2ND MAGHA, 1936

WP(C).No. 1659 of 2015 (F)

PETITIONER(S):

**B. AJITHA, AGED 42 YEARS
D/O. BHASKARAN, JANARDHANA, ASRAMAM P.O.
KOLLAM.**

BY ADV. SRI.VINOY VARGHESE KALLUMOOTTILL

RESPONDENT(S):

- 1. DISTRICT COLLECTOR, KOLLAM
PIN -691 001.**
- 2. TAHSILDAR (RR)
TALUK OFFICE, KOLLAM - 691 001.**
- 3. KERALA STATE BACKWARD DEVELOPMENT CORPORATION
REPRESENTED BY ITS SECRETARY, OFFICE OF THE KSBCDC
KOLLAM- 691 001.**
- 4. PRINCIPAL
SREE NARAYANA COLLEGE, SREENIVASAPURAM, SIVAGIRI
VARKALA, THIRUVANANTHAPURAM- 695 001.**
- 5.ANITHA.B.,
SREERANGAM, VYDHYASALA NAGAR,
KOLLAM TALUK, KOLLAM DISTRICT 691 001.**

**R3 BY ADV. SRI.JAYAPRADEEP. V, SC, KSBCDC
R BY GOVERNMENT PLEADER SMT.SOBHA ANNAMMA EAPPEN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
22-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No. 1659 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1-TRUE COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT TO
THE PRINCIPAL OF THE COLLEGE WHERE THE PETITIONER IS WORKING.**

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.1659 OF 2015 (F)

Dated this the 22nd day of January, 2015

J U D G M E N T

The petitioner, who is a surety to a loan transaction between the 3rd respondent Corporation and the 5th respondent, approaches this Court aggrieved by the steps initiated by the 3rd respondent against her, while at the same time not pursuing proceedings against the 5th respondent, who is the borrower. When the matter came up for admission, it is submitted by counsel for the 3rd respondent Corporation that there is a One Time Settlement [OTS] Scheme currently in vogue and the petitioner is free to approach the Corporation for the benefits therein. The apprehension of the petitioner, who is willing to explore the option of OTS as per the scheme stated to be in existence now, is that pending consideration of her application for the benefit of OTS scheme, the 1st and 2nd respondents may continue the recovery steps that have already been initiated against her.

2. I have heard Sri.Vinoy Varghese Kallummoottil, the learned counsel appearing for the petitioner, Sri.Jayapradeep, the learned

Standing counsel appearing for the 3rd respondent Corporation as also Smt.Sobha Annamma Eappen, the learned Government Pleader appearing for respondents 1 and 2.

On a consideration of the facts and circumstances of the case as also the submissions made across the Bar, I dispose the writ petition permitting the petitioner to approach the 3rd respondent Corporation through a proper representation seeking the benefit of OTS scheme. If the petitioner prefers a representation within a period of two weeks from the date of receipt of a copy of this judgment, the 3rd respondent Corporation shall consider the same and pass orders thereon within a period of one month thereafter. The recovery steps initiated against the petitioner shall be kept in abeyance till such time as the 3rd respondent Corporation considers and passes orders on the representation filed by the petitioner, and communicates the same to the petitioner.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp