

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 16TH DAY OF JANUARY 2015/26TH POUSHA, 1936

WP(C).No. 1669 of 2015 (G)

PETITIONER :

**C.P.ABDULLA, 65 YEARS
S/O. MOIDEEN, JANNATH HOUSE, MEPPAYYUR P.O.
MEPPAYYUR, KOZHIKODE DISTRICT.**

BY ADV. SMT.K.DEEPA (PAYYANUR)

RESPONDENT(S) :

- 1. THE SECRETARY,
REVENUE DEPARTMENT
SECRETARIAT, THIRUVANANTHAPURAM
PIN - 695 001.**
- 2. THE SPECIAL DEPUTY TAHSILDAR (RR)
KERALA STATE FINANCIAL ENTERPRISES, KOYILANDY TALUK
KOZHIKODE DISTRICT, PIN - 673 305.**
- 3. THE VILLAGE OFFICER,
MEPPAYUR VILLAGE, KOYILANDY TALUK,
KOZHIKODE DISTRICT, PIN -673524.**

**R1 & R3 BY GOVT. PLEADER SRI. SHYSON P. MANGUZHA
R2 BY ADVS. SRI.ALEXANDER C.V., SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 1669 of 2015 (G)

APPENDIX

PETITIONERS' EXHIBITS :

**EXHIBIT-P1- TRUE COPY OF THE ORDER DATED 11/12/2014 OF THE IST
RESPONDENT IN THE REVISION PETITION FILED BY THE PETITIONER
UNDER SECTION 83 (2) OF THE KRR ACT.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.1669 OF 2015

Dated this the 16th day of January, 2015

J U D G M E N T

The petitioner who had availed of a loan from Kerala State Financial Enterprises, defaulted in repayment of the same. Recovery steps were initiated against him for realisation of the loan amount. In the writ petition, the petitioner impugns the steps initiated by the respondent bank for recovery of the loan amounts.

2. I have heard Smt.K.Deepa, the learned counsel appearing on behalf of the petitioner, Sri.C.V.Alexander, the learned Standing counsel appearing on behalf of KSFE as also Sri.Shyson P.Manguzha, the learned Government Pleader.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar, I note that the sole prayer of the petitioner is to permit him to remit the balance amounts outstanding to the bank in easy instalments. Taking into account the plea of financial hardship raised by the petitioner, I dispose the writ petition with the following directions:-

(i) The total amount outstanding from the petitioner to the respondent is stated to be Rs.10,06,404/-. Accordingly, if the

petitioner pays the aforesaid amount of Rs.10,06,404/- together with accrued interest in 10 equal successive monthly instalments commencing from 31.01.2015, the recovery proceedings shall be kept in abeyance.

(ii) It is made clear that if the petitioner commits a default in respect of any of the instalments, he will lose the benefit of this judgment and the respondent bank will be free to continue the recovery proceedings against him from the stage at which they presently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns

