

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 11TH DAY OF FEBRUARY 2015/22ND MAGHA, 1936

WP(C).No. 4376 of 2015 (V)

PETITIONER(S):

**VIGI, W/O.UNNIKRISHNAN,
KODAMUKKIL HOUSE, KONATHUKUNNU P.O.,
PAINGODE, THRISSUR.**

**BY ADVS.SRI.H.HAMZA ROWTHER
SRI.V.K.PEERMOHAMED KHAN**

RESPONDENT(S):

**THE AUTHORISED OFFICER,
IRINJALAKUDA TOWN CO-OPERATIVE BANK LTD.NO.55,
HEAD OFFICE, IRINJALAKUDA-680121.**

BY SRI.DEVAPRASANTH.P.J.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONERS' EXHIBITS

- P1: COPY OF THE DEMAND NOTICE ISSUED UNDER SECTION 13(2) OF THE SARFEASI ACT**
- P2: COPY OF THE POSSESSION NOTICE ISSUED UNDER SECTION 13(4) OF THE SARFEASI ACT**
- P3: COPY OF THE JUDGMENT IN WPC.NO.12597/14**
- P4: COPY OF THE SALE NOTICE ISSUED BY THE RESPONDENT**

RESPONDENTS' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.4376 of 2015

.....
Dated this the 11th day of February, 2015

J U D G M E N T

The petitioner in the writ petition has approached this Court challenging Ext.P4 sale notice issued by the respondent bank in connection with the recovery of loan amounts from him. When the matter came up for admission, it was noticed that the petitioner had already approached this Court earlier through W.P.(C). No.12597 of 2014, which was disposed by Ext.P3 judgment granting the petitioner six instalments for making payment of the defaulted arrears, and continuing to pay the regular instalments as per the original loan schedule. It is also brought to my notice by counsel for the respondents that thereafter, the petitioner had once again approached this Court seeking extension of time for complying with the directions in Ext.P3 judgment. It is stated that the said extension was also granted by this Court. It is apparent that the petitioner has not been able to comply with the directions even thereafter, and it is under these circumstances that he has sought to approach this Court through the present writ petition.

2. On a consideration of the facts and circumstances of the case, I am of the view that insofar as the petitioner has earlier approached this Court seeking substantially the same reliefs, the

present writ petition seeking similar reliefs cannot be maintained at the instance of the petitioner.

The writ petition fails and is accordingly dismissed.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns/

