

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 24TH DAY OF FEBRUARY 2015/5TH PHALGUNA, 1936

WP(C).No. 5885 of 2015 (I)

PETITIONER(S):

- 1. KOMALAM, W/O.M.RAJARETNAM,
PAMMARAYIL PARUTHIARATHALAKKAL THANIRA PUTHEN VEEDU,
VELIAMCODE P.O., THIRUVANANTHAPURAM.**
- 2. M. RAJARETNAM,
PAMMARAYIL PARUTHIARATHALAKKAL THANIRA PUTHEN VEEDU,
VELIAMCODE P.O., THIRUVANANTHAPURAM.**

**BY ADVS.SRI.SUMAN CHAKRAVARTHY
SMT.K.R.RIJA
SMT.BREJITHA UNNIKRISHNAN**

RESPONDENT(S):

- 1. THE KERALA STATE FINANCIAL ENTERPRISES (KSFE),
REPRESENTED BY ITS MANAGING DIRECTOR, "BHADRATHA",
MUSEUM ROAD, P.B.NO.510, THRISSUR-680 020.**
- 2. THE KERALA STATE FINANCIAL ENTERPRISES (KSFE),
NEYYATTINKARA I (16) BRANCH,
REPRESENTED BY ITS BRANCH MANAGER,
AKSHAYA SHOPPING COMPLEX, NEYYATTINKARA,
THIRUVANANTHAPURAM-695 121.**
- 3. THE SPECIAL DEPUTY TAHASILDAR (RR),
KERALA STATE FINANCIAL ENTERPRISES (KSFE),
AKSHAYA SHOPPING COMPLEX, NEYYATTINKARA,
THIRUVANANTHAPURAM-695 121.**

**R1 & R2 BY SRI.ALEXANDER.C.V., SC, KSFE
SRI.A.M.ANTONY, SC, KSFE
R3 BY GOVERNMENT PLEADER SRI.SHYSON P. MANGUZHA**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 5885 of 2015 (I)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: A TRUE COPY OF NOTICE DATED 4/05/13.

EXHIBIT-P2: A TRUE COPY OF THE JUDGMENT DATED 18/7/2013.

EXHIBIT-P3: A TRUE COPY OF THE RECEIPT DATED 5/8/2013.

EXHIBIT-P4: A TRUE COPY OF THE RECEIPT DATED 30/11/2013.

EXHIBIT-P5: A TRUE COPY OF THE RECEIPT DATED 5/4/2014.

EXHIBIT-P6: A TRUE COPY OF THE ACKNOWLEDGEMENT DATED 13/8/2014.

EXHIBIT-P7: A TRUE COPY OF THE ACKNOWLEDGEMENT DATED 13/8/2014.

EXHIBIT-P8: A TRUE COPY OF THE NOTICE FOR SALE DATED 15/12/2014.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.5885 of 2015

.....
Dated this the 24th day of February, 2015

J U D G M E N T

Petitioners have approached this Court challenging the recovery steps initiated by the respondent company for recovery of defaulted loan amounts advanced to the petitioners. When the matter was taken up for admission today, it was noticed that the petitioners had already approached this Court on an earlier occasion through W.P.(C).No.17966 of 2013 and by Ext.P2 judgment, this Court had granted the petitioners 8 equal monthly instalments starting from 01.08.2013 to pay the defaulted amounts to the respondent company. It is not in dispute that the petitioners have not complied with the directions in Ext.P2 judgment. Under the said circumstances, I am of the view that the present writ petition, seeking substantially the same reliefs, as were sought for in the earlier writ petition that was disposed by Ext.P2 judgment, cannot be maintained at the instance of the petitioners. The Writ petition fails and is accordingly dismissed.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**

mns

