

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

WP(C).No. 6810 of 2015 (A)

PETITIONER :

**T.C.BABY, AGED 45 YEARS,
W/O SUBRAMANYAN, THEKKEDATH HOSUE, CANAL BASE,
IRINJALAKUDA, THRISSUR DISTRICT.**

**BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.N.L.BITTO**

RESPONDENT :

**THE TOWN CO.OPERATIVE BANK LTD.
REP. BY ITS MANAGER, HEAD OFFICE, TANA SOUTH
IRINJALAKUDA, THRISSUR DISTRICT-680584.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 6810 of 2015 (A)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: A TRUE COPY OF THE DOC NO.634/2000 DATED 3.3.2000 OF
IRINJALAKUDA SRO.**

EXHIBIT P2: A TRUE COPY OF THE NOTICE OF AUCTION ON 14.2.2015.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE

bp

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.6810 OF 2015 (A)

Dated this the 19th day of March, 2015

J U D G M E N T

The petitioner had filed this writ petition challenging the revenue recovery steps initiated by the respondent bank for recovery of the defaulted loan amounts of the petitioner. When the respondent bank proposed to sell the property of the petitioner in an auction, and issued a notice to the petitioner in that connection, the petitioner approached this Court through the present writ petition seeking to interdict the sale. By an order dated 4.3.2015, this Court had granted the petitioner a stay of further proceedings pursuant to Ext.P2 notice on condition that the petitioner paid an amount of Rs.50,000/- on or before 16.3.2015. When the matter was called up today, it is submitted by counsel for the petitioner that the petitioner was not able to comply with the said direction. Under such circumstances, I am of the view that the petitioner is not entitled to the discretionary relief of this Court in proceedings under Article 226 of the Constitution of India. Resultantly, the writ petition fails, and is accordingly dismissed.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp