

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

WP(C).No. 7282 of 2015 (I)

PETITIONER(S):

**JAYACHANDRAN.K.G,
S/O. GANGADHARAN NAIR, KABIDI CHENGARATH HOUSE
SHANGARAPURAM
MULANGUNNATHUKAVU P.O. THRISSUR - 680581.**

BY ADV. SMT.E.V.MOLY

RESPONDENT(S):

- 1. THE TRICHUR URBAN CO-OPERATIVE BANK LTD
HYROID BRANCH, REPRESENTED BY ITS BRANCH MANAGER.**
- 2. THE TRICHUR URBAN CO-OPERATIVE
BANK LIMITED, HEAD OFFICE MISSION QUARTERS OFFICE
THRISSUR, REPRESENTED BY ITS AUTHORISED OFFICER-680001.**

BY ADV. SRI.C.D.DILEEP,SC,

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 7282 of 2015 (I)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1- TRUE COPY OF THE SALE NOTICE.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No.7282 of 2015 (I)

.....
Dated this the 6th day of April, 2015

JUDGMENT

The petitioner, who had availed of a loan from the respondent Bank, approached this Court challenging the revenue recovery steps initiated by the respondent Bank for recovery of the loan amounts in terms of Securitisation and Reconstructions of Financial Assets and Enforcement of Security Interest Act, 2002.

2. When the matter came up for admission, considering the prayer of the petitioner for a grant of stay, and to test the petitioner's bonafides with regard to the repayment of the amounts to the respondent bank, this Court had granted the petitioner an interim stay as prayed for, on condition that the petitioner paid an amount of Rs.75,000/- on or before 27.03.2015.

3. When the matter was called up today, the learned counsel for the petitioner submits that, the petitioner has not complied with the said direction of this Court.

Under the circumstances, the petitioner has not succeeded in establishing his bonafides in the matter. The petitioner is not entitled to the discretionary reliefs prayed for in these proceedings under Article 226 of the Constitution of India. Resultantly, this writ petition fails and it is dismissed.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE