

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

WP(C).No. 7831 of 2015 (D)

PETITIONER(S):

**PARIMANATH JISHAN, AGED 37 YEARS,
S/O SEBASTIAN, 18-PARIMANATH HOUSE, PRATHEEKSHA NAGAR
PALLURUTHI P.O., ERNAKULAM DISTRICT, PIN:682 005.**

**BY ADVS.SRI.N.P.PRAJEESH
SRI.JOSEPH GEORGE**

RESPONDENT(S):

**1. STATE BANK OF TRAVANCORE
REP. BY ITS BRANCH MANAGER,
BROADWAY BRANCH, ERNAKULAM
PIN:682036.**

**2. THE AUTHORIZED OFFICER
STATE BANK OF TRAVANCORE, (SECURED CREDITOR)
STRESSED ASSET RESOLUTION CENTRE, SBT BHAVAN
PANAMPILLY NAGAR, ERNAKULAM, PIN:682 036.**

**BY ADVS.SRI.SANTHOSH MATHEW
SRI.SATHISH NINAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 7831 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE PHOTOCOPY OF JUDGMENT DATED 17.12.2013 IN WPC
30505/2013 OF THIS HON'BLE COURT.**

**EXHIBIT P2: TRUE PHOTOCOPY OF ORDER DATED 20.10.2014 IN S.A.250/2014 OF
DRT AT ERNAKULAM.**

**EXHIBIT P: TRUE PHOTOCOPY OF NOTICE DATED 19.1.2015 ISSUED BY THE 2ND
RESPONDENT U/S 8(5) & 6 OF SECURITY ENFORCEMENT RULES 2002.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No.7831 of 2015 (D)

.....
Dated this the 12th day of March, 2015

JUDGMENT

The petitioner, who has approached this Court challenging revenue recovery steps initiated by the respondents for recovery of the loan amounts in terms of Securitisation and Reconstructions of Financial Assets and Enforcement of Security Interest Act, 2002, is a person who had already approached this Court, seeking an identical relief.

2. On that occasion, this Court by Ext.P1 judgment, had granted an installment facility to the petitioner to clear the defaulted amounts. It was made clear in the said judgment that, if the petitioner committed a default in payment of the instalments, the coercive steps proposed by the Bank could surge ahead. It is not in dispute that the petitioner did not comply fully with the directions in the said judgment.

Under the said circumstances, I am of the view that the present writ petition, which claims substantially the same relief as already claimed on an earlier occasion, cannot be maintained at the instance of the petitioner. Resultantly, this writ petition fails and it is dismissed.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

