

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 2ND DAY OF JUNE 2015/12TH JYAISHTA, 1937

WP(C).No. 8641 of 2015 (E)

PETITIONER :

**DR. M.V.SASIDHARAN, M.S. M.Ch.
CHAIRMAN & MANAGING DIRECTOR,
LAXMI MEGHAN EDUCATIONAL TRUST, PULLUR P.O., KANHANGAD
REG.OFFICE AT SURGI CARE CENTRE & HOSPITAL
KANHANGAD.**

BY ADV. SRI.K.I.SAGEER

RESPONDENTS :

- 1. KERALA FINANCIAL CORPORATION,
REP.BY ITS MANAGING DIRECTOR, HEAD OFFICE
VELLAYAMBALAM, THIRUVANANTHAPURAM, PIN 695033.**
- 2. BRANCH MANAGER
KERALA FINANCIAL CORPORATION, HIGH LANE PLAZA,
M.G.ROAD, KASARAGOD-671121.**
- 3. STATE OF KERALA
REP.BY ITS SECRETARY TO THE GOVERNMENT,
FINANCE DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM-695001.**

**R1 & R2 BY ADV. SRI.MILLU DANDAPANI,SC,K.F.C.
BY SRI.T.V.GEORGE, SC, KFC
R3 BY GOVERNMENT PLEADER SRI. R. RANJITH**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT-P1: A TRUE COPY OF THE LETTER NO.140114310/09/2010 DT.25.02.2010
ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT-P2: A TRUE COPY OF THE LETTER NO.140117810/401/2011 DT.27.08.2011
ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT-P3: A TRUE COPY OF THE LETTER NO.140114311/426/2011 DT.06.09.2011
ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT-P4: A TRUE COPY OF THE LETTER NO.140119310/699/2011 DT.12.12.2011
ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT-P5: A TRUE COPY OF THE LETTER NO.140114312/282/2013 DT.02.05.2013
ISSUED BY THE 1ST RESPONDENT.
- EXHIBIT-P6: A TRUE COPY OF THE LETTER ISSUED BY THE 1ST RESPONDENT
DT.07.08.2014.
- EXHIBIT-P7: A TRUE COPY OF THE DEMANT NOTICE ISSUED BY THE 1ST
RESPONDENT IN RESPECT OF LOAN ACCOUNT NO.140114310.
- EXHIBIT-P8: A TRUE COPY OF THE DEMAND NOTICE ISSUED BY THE 1ST
RESPONDENT IN RESPECT OF LOAN ACCOUNT NO.140117810.
- EXHIBIT-P9: A TRUE COPY OF THE DEMAND NOTICE ISSUED BY THE 1ST
RESPONDENT IN RESPECT OF LOAN ACCOUNT NO.140114311.
- EXHIBIT-P10: A TRUE COPY OF THE DEMAND NOTICE ISSUED BY THE 1ST
RESPONDENT IN RESPECT OF LOAN ACCOUNT NO.140119310.
- EXHIBIT-P11: A TRUE COPY OF THE DEMAND NOTICE ISSUED BY THE 1ST
RESPONDENT IN RESPECT OF LOAN ACCOUNT NO.140114312.
- EXHIBIT-P12: A TRUE COPY OF THE PUBLIC NOTICE ISSUED BY THE 2ND
RESPONDENT DT.NIL.
- EXHIBIT-P13: A TRUE COPY OF THE REQUEST MADE BY THE PETITIONER BEFORE
THE 1ST RESPONDENT DT.03.02.2015.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

A.MUHAMED MUSTAQUE, J.

WP.(C) No.8641 of 2015

Dated this the 2nd day of June, 2015

JUDGMENT

The petitioner challenges the proceedings under the State Finance Act before this Court. The admitted liability of the petitioner is around Rs.12 crores as on 1.3.2015. This Court while on 23.3.2015 passed an interim order on condition that the petitioner shall deposit Rs.50 lakhs on or before 15.5.2015. It appears that no amount has been paid by the petitioner. The petitioner submits that he is prepared to make an attempt for private sale and to clear the entire liability. The petitioner further submits that he is attempting for taking over loan by another financial institution also.

I am of the view; these are all matters to be addressed to the responsible officer in the Kerala Financial Corporation. It is for the petitioner to approach that authority and establish genuineness of the claim. With that liberty, this writ petition is dismissed. No costs.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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