

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 31ST DAY OF JULY 2015/9TH SRAVANA, 1937

WP(C).No. 8658 of 2015 (F)

PETITIONER(S):

**GIRIDHARAN A.,
S/O.LATE APPUCHAMI, 'GEETHANJALI', KOTTAYAMKADU,
ELAVANCHERRY P.O., CHITTUR TALUK, PALAKKAD DISTRICT.**

**BY ADVS.SRI.SAJAN VARGHEESE K.
SRI.LIJU. M.P**

RESPONDENT(S):

- 1. THE DEPUTY TAHSILDAR,
REVENUE RECOVERY, CHITTUR, PALAKKAD DISTRICT - 678 101.**
- 2. THE VILLAGE OFFICER,
ELAVANCHERRY VILLAGE, ELAVANCHERRY P.O., CHITTUR TALUK,
PALAKKAD DISTRICT - 678 101.**
- 3. THE CANARA BANK,
HEAD QUARTERS AT BANGALORE - 560 002, KARNATAKA STATE,
REPRESENTED BY THE CHAIRMAN.**
- 4. CANARA BANK,
KOLLENGODE BRANCH - 678 506, PALAKKAD DISTRICT,
REPRESENTED BY THE BRANCH MANAGER.**

**R1 & R2 BY GOVERNMENT PLEADER SMT.M.T.SHEEBA
R3 & R4 BY ADV. SRI.V.B.HARI NARAYANAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
31-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 8658 of 2015 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1 : TRUE COPY OF THE DEMAND NOTICE ISSUED UNDER SEC.7 OF THE
REVENUE RECOVERY ACT TO THE PETITIONER ON 24-4-2012.**

**EXT.P2 : TRUE COPY OF THE DEMAND NOTICE DT.24-4-2012 ISSUED PRIOR TO
ATTACHMENT OF LAND ISSUED TO THE PETITIONER.**

**EXT.P3 : TRUE COPY OF THE PLAINT IN OS 112/2014 ON TH FILE OF THE MUNSIFF
COURT, CHITTUR.**

EXT.P4 : TRUE COPY OF THE WRITTEN STATEMENT FILED IN EXT.P3 SUIT.

**EXT.P5 : TRUE COPY OF THE NOTICE DT.17-2-2015 ISSUED BY THE R4 TO THE
PETITIONER.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msv/

A.MUHAMED MUSTAQUE, J.

W.P.(C)No.8685 of 2015

Dated this the 31st day of July, 2015

JUDGMENT

This writ petition is filed challenging Exts.P1 and P2 revenue recovery proceedings. It is the case of the petitioner is that the claim is barred by limitation.

2. Learned counsel for the Bank submits that Exts.P1 and P2 are related to the year 2012 and the Bank have not taken any steps based on Exts.P1 and P2. It is also submitted that the Bank have only issued a demand notice as per Ext.P5 and that demand notice is not in terms of the SARFAESI proceedings.

The above submissions are recorded. In view of the above, no cause of action has arisen to the petitioner to challenge the revenue recovery proceedings. The petitioner is free to challenge if fresh recovery is initiated. All questions are left open.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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