

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. 8765 of 2015 (U)

PETITIONER :

**LATHIKA SURENDRAN,
W/O.LATE SURENDRAN, AGED 60 YEARS,
CHARUVILA PUTHEN VEEDU, KATTAYIL,
ODANAVATTOM, KOTTARAKKARA, KOLLAM.**

BY ADV. SRI.SYAM J SAM

RESPONDENT(S):

- 1. KERALA STATE HOUSING BOARD,
BRANCH OFFICE, PATHANAPURAM, KOLLAM-691 001.
REP. BY AUTHORIZED OFFICER/BRANCH MANAGER.**
- 2. VILLAGE OFFICER, VILLAGE OFFICE, ODANAVATTOM,
KOTTARAKKARA, KOLLAM,PIN-691 506**

**R1 BY SRI.GEORGE BOBAN, SC, K.S.H.B.
R2 BY GOVERNMENT PLEADER SRI.SHYSON P. MANGUZHA**

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

sts

WP(C).NO.8765/2015

APPENDIX

PETITIONER'S EXHIBITS:

P1 COPY OF THE NOTICE ISSUED BY THE 1ST RESPONDENT DATED 24/4/2014.

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.8765 of 2015

.....
Dated this the 19th day of March, 2015

J U D G M E N T

The petitioner who had availed of a housing loan from the 1st respondent Board, defaulted in repayment of the same. Consequently, revenue recovery action was initiated against him for recovery of the amounts. Ext.P1 is the revenue recovery notice issued by the 1st respondent. In the writ petition, the petitioner impugns the steps initiated by the respondent Board for recovery of the loan amounts.

2. I have heard the learned counsel for the petitioner and also the learned Standing counsel for the respondents.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar, I note that the sole prayer of the petitioner is to permit him to remit the balance amounts outstanding to the 1st respondent Board in easy instalments. Taking into account the plea of financial hardship raised by the petitioner, I dispose the writ petition with the following directions:-

i. The total amount outstanding from the petitioner to the 1st respondent Board in respect of the loan is stated to be Rs.13,49,532/- together with accrued interest. Accordingly, if the petitioner pays the aforesaid amount of Rs.13,49,532/- together with accrued interest in ten equal and successive monthly instalments commencing from 30.03.2015, then further proceedings for recovery shall be kept in abeyance.

ii. It is made clear that, if the petitioner approaches the respondent Board with a claim for extension of benefits under any one time settlement scheme, then the respondent Board shall consider the claim of the petitioner in the event of any scheme being in vogue. If the petitioner is granted any such benefit then he need effect payment of only the reduced amount as determined by the respondent Board.

ii. Subject to the above, if the petitioner commits a default in respect of any of the instalments, he will lose the benefit of this judgment and the respondent Board will be free to continue the recovery proceedings against him from the stage at which they presently stand.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns/

