

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYAISHTA, 1937

WP(C).No. 9378 of 2015 (V)

PETITIONER :

**JUDE ANGEL SUDHEER,
S/O.ANTONY D'CRUZ, REGINTON HOUSE, TC 44/583,
VALLAIKADAVU, VALIYATHURA, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.SUMAN CHAKRAVARTHY
SMT.K.R.RIJA**

RESPONDENT(S):

- 1. THE AUTHORIZED OFFICER,
THE AXIS BANK LTD., ASSETS SALES CENTER, KILL TOWERS,
NEAR PRS HOSPITAL, KARAMANA, THIRUVANANTHAPURAM.**
- 2. THE AXIS BANK LTD,
ASSETS SALES CENTER, KILL TOWERS, NEAR PRS HOSPITAL,
KARAMANA, THIRUVANANTHAPURAM,
REP. BY ITS REGIONAL MANAGER.**

**R1 & R2 BY ADV. SMT.SREEKALA KRISHNADAS
SRI.C.VIVEK**

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

sts

WP(C).No. 9378 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1: TRUE COPY OF THE STATEMENT.

EXHIBIT-P2: TRUE COPY OF THE NOTICE DATED 12/03/15.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.9378 of 2015

Dated this the 4th day of June, 2015

JUDGMENT

Read order dated 28.5.2015.

2. The Bank informed through the counsel that they are not prepared to give any concession either in interest or incidental expenses.

3. The petitioner submits that he is prepared to approach the Debts Recovery Tribunal challenging the proceedings of the Bank under the SARFAESI Act. The petitioner further submits that he is willing to settle the entire account and the Bank is not willing to waive illegal demand of interest and incidental expenses.

Considering the facts and circumstances, this writ petition is disposed of with liberty to the petitioner to approach the Debts Recovery Tribunal. To enable the petitioner to work out the alternate remedy, all entire proceedings under the SARFAESI Act, shall be kept in abeyance for a period of six weeks.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE