

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 31ST DAY OF MARCH 2015/10TH CHAITHRA, 1937

WP(C).No. 9781 of 2015 (W)

PETITIONER :

**EDELWEISS ASSET RECONSTRUCTION COMPANY LTD,
REGISTERED OFFICE, EDELWEISS HOUSE, OFF C.S.T.ROAD,
KALINA, MUMBAI-400098
REPRESENTED BY ITS AUTHORIZED SIGNATORY,
AWNDITYA GANGULY.**

**BY ADVS.SRI.MOHAN JACOB GEORGE
SMT.P.V.PARVATHI
SMT.REENA THOMAS
SMT.ARUNIMA LAURANCE**

RESPONDENTS :

- 1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, REVENUE DEPARTMENT
SECRETARIAT, THIRUVANANTHAPURAM - 695001**
- 2. DISTRICT COLLECTOR,
COLLECTORATE, KAKKANAD, ERNAKULAM - 682030**
- 3. TAHSILDAR(RR)KANAYANNUR TALUK,
TALUK OFFICE, NEAR DISTRICT COURT
OPPOSITE RAJENDRA MAIDAN, ERNAKULAM- 682916**
- 4. SRI.C.NAJEEB, AGED 50 YEARS,
S/O.K.K.MOIDU, RESIDING AT "THAMMANA"
SRM ROAD(NORTH END), PACHALAM, KOCHI-682012.**

**R1 TO R3 BY SENIOR GOVERNMENT PLEADER
SMT. SHOBA ANNAMMA EAPPEN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 31-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: COPY OF THE BOARD RESOLUTION OF THE PETITIONER AT ITS MEETING HELD ON 24.10.2013.
- EXT.P2: COPY OF THE CONSENT LETTER DATED 28.02.2014 ISSUED BY THE FEDERAL BANK LTD IN FAVOUR OF THE PETITIONER COMPANY.
- EXT.P3: COPY OF THE LETTER DATED 18.12.2009 OF THE 4TH RESPONDENT.
- EXT.P4: COPY OF THE SALE NOTICE ISSUED BY THE TAHSILDAR,(RR) KANAYANNUR TALUK.
- EXT.P5: COPY OF THE PETITION SUBMITTED TO THE 2ND RESPONDENT .
- EXT.P5(A): COPY OF THE PETITION SUBMITTED TO THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.9781 of 2015

.....
Dated this the 31st day of March, 2015

J U D G M E N T

The limited prayer urged on behalf of the petitioner is for a direction to the 2nd respondent to consider and pass orders on Ext.P5 representation that has been preferred by him before the said respondent within a specified time frame.

2. I have heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

On a consideration of the facts and circumstances of the case as also the submissions made across the bar, and taking note of the submission of the learned Government Pleader that the sale proceedings that were initiated at the instance of the respondents 1 to 3, have been stayed pending disposal of an appeal preferred by the borrower (4th respondent), against the orders confirming the tax liability on him, I direct the 2nd respondent to consider and pass orders on Ext.P5 representation preferred by the petitioner, within a period of two months from the date of receipt of a copy of this judgment, after hearing the petitioner.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**

mns

