

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 1937

WP(C).No. 10030 of 2015 (C)

PETITIONER(S):

**CHERIAN THOMAS @ SUNNY THOMAS,
NEDUMTHARAYIL HOUSE, KARAKKAL P.O.,
THIRUVALLA.**

**BY SRI.GEORGE CHERIAN, SENIOR ADVOCATE.
ADVS. SMT.K.S.SANTHI,
SMT.LATHA SUSAN CHERIAN.**

RESPONDENT(S):

- 1. THE AUTHORISED OFFICER,
(CHIEF MANAGER, ADVANCES),
STATE BANK OF TRAVANCORE,
REGIONAL OFFICE, THIRUVALLA-689 001.**
- 2. STATE BANK OF TRAVANCORE ,
REPRESENTED BY ITS GENERAL MANAGER,
HOUSING BOARD BUILDING COMPLEX, SANTHI NAGAR,
THIRUVANANTHAPURAM-695 001.**

BY ADV. SRI.R.S.KALKURA, SC.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S EXHIBITS:-

- P1 : COPY OF THE CERTIFICATE ISSUED TO THE PETITIONER BY PEOPLES DAIRY DEVELOPMENT PROJECT, KALADY.
- P2 : COPY OF THE CERTIFICATE ISSUED TO THE PETITIONER BY INDIAN KISSAN SABHA.
- P3 : COPY OF THE CERTIFICATE OF MERIT AWARDED BY GOVERNMENT OF KERALA.
- P4 : COPY OF THE OA NO.146/14 FILED BY THE RESPONDENT BEFORE DRT, ERNAKULAM, WITHOUT DOCUMENTS.
- P5 : COPY OF THE WRITTEN STATEMENT FILED BY THE PETITIONER.
- P6 : COPY OF THE REPRESENTATION DTD. 04.01.2015 FILED BY THE PETITIONER.
- P7 : COPY OF THE LETTER DTD. 08.01.2015 ISSUED BY THE RESPONDENT BANK.
- P8 : COPY OF THE LETTER DTD. 12.01.2015 BY ZONAL OFFICE OF THE BANK.
- P9 : COPY OF THE CONSOLIDATED STATEMENT DTD. 04.03.2015 ISSUED BY RESPONDENT.
- P10 : COPY OF THE LETTER DTD. 09.02.2015 ISSUED BY THE BANK.
- P11 : COPY OF THE POSSESSION NOTICE DTD. 24.03.2015.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.10030 of 2015

Dated this the 6th day of July, 2015

JUDGMENT

The petitioner, impugning SARFAESI proceedings, has approached this Court. The matter was referred to mediation; the party could not arrive at a settlement.

2. It appears that the Bank have filed O.A.No.146/2014 before the Debts Recovery Tribunal, Ernakulam. It appears that the petitioner has filed S.A.No.3/2012 before the Debts Recovery Tribunal, Ernakulam.

In that view of the matter, with liberty to the petitioner to seek appropriate reliefs from the Debts Recovery Tribunal, Ernakulam, this writ petition is disposed of. To work out any relief as such from the Debts Recovery Tribunal, coercive steps against the petitioner shall be deferred for a period of three weeks.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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