

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

TUESDAY, THE 5TH DAY OF MAY 2015/15TH VAISAKHA, 1937

WP(C).No. 10748 of 2015 (P)

PETITIONER(S):

P. RAJESH
PROPRIETOR, TEE CEE ENTERPRISES, SHED NO.2
SIDCO INDUSTRIAL ESTATE, PUTHUPARIYARAM, OLAVAKKODE
PALAKKAD DISTRICT, PIN-678 731.

BY ADV. SRI.V.A.AJAI KUMAR

RESPONDENT(S):

1. THE DISTRICT COLLECTOR
PALAKKAD-678 001.

2. THE TAHSILDAR(REVENUE RECOVERY), PALAKKAD TALUK,
PALAKKAD, PIN-678 001.

3. THE VILLAGE OFFICER, PUTHUPARIYARAM VILLAGE,
OLAVAKKOD, PALAKKAD DISTRICT, PIN-678 733.

4. INDIAN OVERSEAS BANK, G.B.ROAD, PALAKKAD, PIN-678 001.
REPRESENTED BY ITS CHIEF MANAGER.

R1 to R3 BY GOVERNMENT PLEADER SRI.NOUSHAD THATTATHIL
R5 BY SRI.SUNIL SHANKAR, SC, INDIAN OVERSEAS BANK

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
05-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 10748 of 2015 (P)

APPENDIX

PETITIONER(S) ' EXHIBITS

EXT.P1:TRUE COPY OF DEMAND NOTICE NO.2014/55914/9 DATED 19.01.2015
UNDER SECTION 7 AND SECTION 34 OF THE KERALA REVENUE RECOVERY ACT
ISSUED BY 2ND RESPONDENT TO THE PETITIONER.

EXT.P2:TRUE COPY OF DEMAND NOTICE NO.2014/45496/9 DATED 25.02.2015
UNDER SECTION 7 AND SECTION 34 OF THE KERALA REVENUE RECOVERY ACT
ISSUED BY 2ND RESPONDENT TO THE PETITIONER.

EXT.P3:TRUE COPY OF REPRESENTATION DATED 02.03.2015 SUBMITTED BY THE
PETITIONER TO THE 4TH RESPONDENT.

RESPONDENT(S) ' EXHIBITS

NIL

/TRUE COPY/

PS TO JUDGE

P.V.ASHA, J

W.P(C).No. 10748 of 2015

Dated this the 5th May, 2015

JUDGMENT

The petitioner availed a loan from the fourth respondent Bank. He has committed default in payment of the instalments as well as the cash credit facility. The only prayer pressed by the petitioner in this Writ Petition is that he may be granted instalment facility for repayment.

2. Heard learned counsel for the petitioner and the learned counsel appearing for the fourth respondent.

3. Learned counsel for the fourth respondent submits that a sum of ₹4,92,000/- is due towards the term loan account. Learned counsel for the petitioner submits that the petitioner will be able to pay the same within a period of one month. Towards the cash credit availed by him, he submits that the same can be paid in ten instalments.

In the above circumstances, the Writ Petition is disposed of directing the petitioner to clear the amount

due towards the term loan account within one month from today. The petitioner is also directed to clear the dues towards the cash credit availed by him in ten equal monthly instalments commencing from 15.7.2015 onwards. In the meantime, the coercive proceedings initiated against the petitioner for recovery of the amounts shall be kept in abeyance. In case of any default in repayment of the amount as directed above, the respondents will be free to revive the recovery proceedings.

P.V.ASHA, JUDGE

vgs5/5/15