

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR**

**WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937**

**WP(C).No. 10833 of 2015 (D)**  
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**PETITIONER :**  
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**RADHAKRISHNAN, AGED 43 YEARS,  
S/O. VEEMBAN, CHAVITTUPARAMBIL,  
KAYARAMKODUM, MUNDUR, PALAKKAD.**

**BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL)**

**RESPONDENTS :**  
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**1. STATE BANK OF TRAVANCORE,  
KALLADIKKODE BRANCH, SUMANGALI BUILDING,  
DEEPA JUNCTION, PALAKKAD DISTRICT - 678596.  
REPRESENTED BY ITS MANAGER.**

**2. TAHSILDAR (RR), OFFICE OF THE TAHSILDAR,  
PALAKKAD - 678001.**

**R1 BY SRI.T.SETHUMADHAVAN SENIOR ADVOCATE**

**BY ADV. SRI.K.JAYESH MOHANKUMAR**

**R2 BY SENIOR GOVERNMENT PLEADER SMT. SOBHA ANNAMMA EAPPEN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 08-04-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**bp**

WP(C).No. 10833 of 2015 (D)

APPENDIX

PETITIONER'S EXHIBITS :

P1: COPY OF THE NOTICE DT 17/10/2014 ISSUED BY THE R2.

P2: COPY OF THE COMMUNICATION DT 19/12/2013 ISSUED BY THE R1 TO THE  
VILLAGE OFFICER, MUNDUR - I VILLAGE.

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

**A.K.JAYASANKARAN NAMBIAR, J.**

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**W.P.(C).NO.10833 OF 2015**  
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**Dated this the 8<sup>th</sup> day of April, 2015**

**J U D G M E N T**

The petitioner, who had availed of a loan from the respondent bank, defaulted in repayment of the same. Consequently, the respondent bank initiated proceedings under the Kerala Revenue Recovery Act to recover the loan amounts. In the writ petition, the petitioner impugns the steps initiated by the respondent bank for recovery of the loan amounts.

2. I have heard the learned counsel appearing on behalf of the petitioner, the learned Standing counsel appearing on behalf of the respondent bank as also the learned Government Pleader for the 2<sup>nd</sup> respondent.

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 respondent bank 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 is stated to be Rs.3,06,000/- together with accrued interest and other charges. Accordingly, if the petitioner pays the aforesaid amount of Rs.3,06,000/-, together with accrued interest and other charges, in eight equal and successive monthly instalments commencing from 30.04.2015, then further proceedings for recovery shall be kept in abeyance.

(ii) It is made clear that if the petitioner commits a default in respect of any of the instalments, he will lose the benefit of this judgment and the 2<sup>nd</sup> respondent will be free to continue the recovery proceedings against him from the stage at which they presently stand.

**A.K.JAYASANKARAN NAMBIAR**  
**JUDGE**

mns

