

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

WP(C).No. 10944 of 2015 (P)

PETITIONERS:

- 1. GEORGE KUTTY, AGED 56 YEARS
S/O. JUSTUS, BETHEL HOUSE
KUTTIKKAD, ELLUVILA P.O.,
KARAKONAM, THIRUVANANTHAPURAM**
- 2. PRESTILLA
BETHEL HOUSE
KUTTIKKAD
ELLUVILA P.O.
KARAKONAM
THIRUVANANTHAPURAM**

**BY ADVS.SRI.S.V.PREMAKUMARAN NAIR
SRI.R.T.PRADEEP**

RESPONDENTS:

- 1. THIRUVANANTHAPURAM DISTRICT CO-OP.BANK LTD
REPRESENTED BY ITS MANAGING DIRECTOR
HEAD OFFICE, FORT, THIRUVANANTHAPURAM
695 001**
- 2. MANAGER
THIRUVANANTHAPURAM DISTRICT CO-OPERATIVE BANK LTD.
VELLARADA BRANCH
THIRUVANANTHAPURAM DISTRICT - 695 505**
- 3. AUTHORISED OFFICER
THIRUVANANTHAPURAM DISTRICT CO-OPERATIVE BANK LTD.
HEAD OFFICE, THIRUVANANTHAPURAM DISTRICT - 695 001**
- 4. KERALA CO-OPERATIVE OMBUDSMAN
THIRUVANANTHAPURAM - 695 001
REPRESENTED BY ITS SECRETARY**

**R1 TO R3 BY SRI.T.R.HARIKUMAR, SC, THIRUVANANTHAPURAM
DIST.CO. BANK LTD.
R4 BY GOVERNMENT PLEADER SRI. T. R. RAJESH**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : COPY OF THE NOTICE DATED 21.07.2010 BY 1ST RESPONDENT TO PETITIONERS**
- P2 : COPY OF NOTICE NIL DATED BY WHICH THE LIABILITY IS QUANTIFIED TO RS. 4,50,312/-**
- P3: COPY OF NOTICE DATED 20.10.2011 UNDER SECTION 13(2) OF SARFAESI ACT**
- P4: COPY OF NOTICE DATED 09.02.2015 UNDER SECTION 13(4) OF SARFAESI ACT**
- P5: COPY OF THE ORDER DATED 3.3.2015 IN COMPLAINT NO. 816/2014 BY KERALA CO-OPERATIVE OMBUDSMAN, THIRUVANANTHAPURAM**
- P6: COPY OF CIRCULAR NO. 5/2015 DATED 22.01.2015**
- P7: COPY OF CIRCULAR NO. 9/2015 DATED 16.02.2015**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). No. 10944 of 2015

Dated this the 1st day of April, 2015

JUDGMENT

The petitioners are eager to wipe off the entire dues as per the 'Aswas 2015' scheme as amended. It is open to the petitioners to remit the amount so due within a period of three weeks from today.

2. The second respondent shall intimate the petitioners within a period of two weeks about the actual amount to be remitted as per the amended scheme. The property of the petitioners shall not be proclaimed for sale till 30.04.2015 when the 'Aswas 2015' scheme ends.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS