

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 10TH DAY OF APRIL 2015/20TH CHAITHRA, 1937

WP(C).No. 11920 of 2015 (L)

PETITIONER :

**CHANDRASENAN.B.,
S/O.BALAKRISHNAN, AGED 35 YEARS, SUMAMGALI,
VALATHUNGAL.P.O., KOLLAM.**

**BY ADVS.SRI.K.SIJU
SMT.S.SEETHA
SMT.NIMA JACOB**

RESPONDENT(S):

- 1. THE BRANCH MANAGER,
CANARA BANK, THATTAMALA BRANCH,
KOLLAM, PIN-691 331.**
- 2. THE DEPUTY TAHSILDAR (REVENUE RECOVERY),
KOLLAM-691 013.**

**R1 BY ADV. SRI.V.B.HARI NARAYANAN
R2 BY SR GOVERNMENT PLEADER SRI.K.C.VINCENT**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).NO.11920/2015

APPENDIX

PETITIONER'S EXHIBITS:

- P1 COPY OF THE R.R NOTICE RECEIVED BY THE PETITIONER DATED 10/7/2014.
- P2 COPY OF THE REPRESENTATION DATED 26/11/2014 SUBMITTED BY THE DAUGHTER OF THE PETITIONER.
- P3 COPY OF THE DECREE/ORDER PASSED BY THE LOK ADALATH IN PLP NO.2078/2014 DATED 6/12/2014.
- P3(A) COPY OF THE READABLE COPY OF EXT.P3
- P4 COPY OF THE RECEIPT SHOWING REMITTANCE OF RS.10,000/-

RESPONDENT'S EXHIBITS: NIL

/TRUE COPY/

P.S.TO JUDGE

sts

P.R. RAMACHANDRA MENON, J.

.....
W.P.(C)No.11920 OF 2015
.....

Dated this the 10th April, 2015

J U D G M E N T

There was some financial transaction between the petitioner and the respondent/Canara Bank, which led to various proceedings. Finally, the issue was settled before the Lok Adalat as borne by Ext.P3 order, whereby a total sum of R.2765000/- was agreed to be satisfied on or before 21.03.2015. The learned Counsel for the petitioner submits that the petitioner could not honour the commitment and seeks for the benefit of some installments.

2. The learned Standing Counsel for the Bank submits that there is absolutely no merit or bonafides in the writ petition and that the issue was sought to be settled subject to the specific understanding that the amount will be cleared in terms of Ext.P3. However, considering the particular facts and circumstances, the learned Standing Counsel for the Bank submits that the petitioner could be given a maximum of three installments to clear the liability. The said submission is recorded.

3. The petitioner is permitted to satisfy the liability by way

of 'three' equal monthly installments, the first of which shall be effected on or before **30.04.2015**, followed by similar installments to be effected on or before the last working day of the succeeding months. Subject to the above, the recovery proceedings shall be kept in abeyance. It is made clear that if any default is committed by the petitioner in effecting the installments as above, the respondent Bank will be at liberty to proceed with further steps for realisation of the amount in a lump, from the stage where it stands now.

The writ petition is disposed of.

P.R.RAMACHANDRA MENON
JUDGE

/k