

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 29TH DAY OF JUNE 2015/8TH ASHADHA, 1937

WP(C).No. 11925 of 2015 (M)

PETITIONER :

**SUDHA SREEKUMAR,
NARAYANA VILASAM, PEERMADE P.O,
PEERMADE - 685 531.**

**BY ADVS.SMT.A.K.PREETHA
SRI.C.ANIL KUMAR**

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
PLANNING AND ECONOMIC AFFAIRS DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM - 695 001.**
- 2. THE DISTRICT COLLECTOR, IDUKKI.**
- 3. THE TAHSILDAR (AUTHORISED OFFICER UNDER
REVENUE RECOVERY ACT), TALUK OFFICE, PEERMADE - 685 531.**
- 4. STATE BANK OF TRAVANCORE, PEERMADE BRANCH,
PEERMADE-685 531, REPRESENTED BY ITS BRANCH MANAGER,**

**R1 TO R3 BY GOVERNMENT PLEADER SRI.ABHIJETT LESSLI
R4 BY SRI.SANTHOSH MATHEW
SRI.SATHISH NINAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 11925 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE COPY OF STATEMENT IN RESPECT OF LOAN AVAILED BY THE SAID SREEKUMAR**
- P2- TRUE COPY OF THE G.O. NO.41/2013/PLANNING DATED 3.8.2013**
- P3- TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT**
- P4- TRUE COPY OF THE DEMAND NOTICE IN FORMS 1 AND 10 OF OF THE REVENUE RECOVERY ACT**
- P5- TRUE COPY OF THE PAY IN SLIP DATED 22.12.2014**

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO JUDGE

sts

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.11925 of 2015

Dated this the 29th day of June, 2015

J U D G M E N T

The petitioner is the widow of one Sreekumar. The said Sreekumar had availed an educational loan from the 4th respondent for his daughter Bineetha for doing B.Sc (Nursing) course. After availing the loan, petitioner's husband passed away. The petitioner's daughter did not get any employment. Therefore, the loan amount could not be repaid. The petitioner is having a job as sweeper and earning an amount of ₹6,000/- per month. The Bank now initiated revenue recovery proceedings to recover the loan amount. Hence, this writ petition.

2. It is submitted by the learned counsel for the petitioner that, based on the interim order passed by this Court, the petitioner has remitted an amount of ₹50,000/-. It is also submitted that, the petitioner may be given ten months time to discharge the entire liability. It appears that, the petitioner has already remitted an amount of ₹75,000/-.

3. The learned Standing Counsel for the Bank strongly opposes the prayer of the petitioner and submits that, the liability is more than ₹2,94,130/- as on 03.04.2015.

Considering the facts and circumstances, this writ petition is disposed of directing the Bank to calculate the amount after giving

necessary credit to the petitioner within one month. Taking note of the fact that, the petitioner has already remitted an amount of ₹ 75,000/-, the petitioner is given time up to 31.12.2015 to discharge the entire liability.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

AV