

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 8TH DAY OF DECEMBER 2015/17TH AGRAHAYANA, 1937

WP(C).No. 14349 of 2015 (P)

PETITIONER(S):

**AHEMED KABEER,
S/O.SAYED ALI, MAMMASRAYELATHU HOUSE,
IRINGAPURAM,
GURUVAYUR, THRISSUR.**

BY ADV. SMT.E.V.MOLY

RESPONDENT(S):

**STATE BANK OF INDIA,
REGIONAL BUSINESS OFFICE,
ST.THOMAS COLLEGE ROAD, THRICHRUR-680005,
REPRESENTED BY ITS AUTHORIZED OFFICER.**

BY SRI.R.S.KALKURA, SC

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

WP(C).No. 14349 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1. TRUE COPY OF THE ORDER IN WPC NO20390/2009.
- P2. TRUE COPY OF THE ORDER DATED 20/10/09 IN IA NO.12455/2009 IN WPC NO.20390/2009.
- P3. TRUE COPY OF THE NOTICE DATED 5/2/2015 ISSUED UNDER 13(2) OF THE SARFAESI ACT.
- P4. TRUE COPY OF THE POSSESSION NOTICE DATED 28/4/2015.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.14349 OF 2015 (P)

Dated this the 8th day of December, 2015

J U D G M E N T

The petitioner, who had approached this court aggrieved by the steps taken by the respondent bank under the SARFAESI Act, was directed to pay an amount of Rs.4,00,000/- within a period of one month from 12.5.2015 as per a direction in an interim order of this Court of the same date. It is not in dispute that the petitioner did not comply with the said direction. Under the said circumstances, I am of the view that the petitioner is not entitled to the discretionary relief from this Court in these proceedings under Article 226 of the Constitution of India. The writ petition fails, and is accordingly dismissed.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp/8/12/15