

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 23RD DAY OF JUNE 2015/2ND ASHADHA, 1937

WP(C).No.14567 of 2015 (U)

PETITIONER'S:

1. PRABHAKARAN.V.A,S/O.V.K.AYYAPPAN,
AGED 63 YEARS,VADAKKEKKARA HOUSE,
GANDHI NAGAR,CHEROOR P.O,THRISSUR-680008.
2. SOBHANA C.R,W/O.PRABHAKARAN V.A.,
VADAKKEKKARA HOUSE,GANDHI NAGAR,
CHEROOR PO,THRISSUR-680008

BY ADV. SRI.LINDONS C.DAVIS

RESPONDENT'S:

1. STATE OF KERALA,REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF REVENUE,SECRETARIAT,
THIRUVANANTHAPURAM-695001.
2. COMMISSIONER OF LAND REVENUE,
THIRUVANANTHAPURAM-695001.
3. DEPUTY TAHSILDAR (REVENUE RECOVERY),THRISSUR-20.
4. VILLAGE OFFICER,PERINGAVU VILLAGE,
THRISSUR TALUK-680001.
5. STATE BANK OF INDIA,RASMECCC,THRISSUR,
REPRESENTED BY ITS MANAGER,
SREE VADAKUMNATHAN SHOPPING COMPLEX,
NR.KAIRALI THEATRE,THRISSUR-680008.
6. PRASOB,PARTNER,M/S.ENVIORN WATER TECHNOLOGIES,
10/758/5,1ST FLOOR,PSK COMPLEX,ERINJERI ANGADI,
THRISSUR-680001.

**R1 TO R4 BY GOVT. PLEADER SMT.M.T.SHEEBA.
R5 BY SRI.R.S.KALKURA,SC,SBI**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C).No.14567 of 2015 (U)

APPENDIX

PETITIONER'S EXHIBITS:

- P1: TRUE COPY OF THE REVENUE RECOVERY NOTICES COPY OF THE
NOTICE DATED 17.04.2015 WITH COLLECTORATE FILE NO.2015/24311/8
ISSUED BY DEPUTY TAHSILDAR (RR), THRISSUR TOWARDS MOVABLE
PROPERTY AND LANDED PROPERTY.
- P2: TRUE COPY OF THE NOTICE ALONG WITH PLAINT IN OS.NO.1777/2015
PENDING BEFORE MUNSIFF COURT, THRISSUR.
- P3: TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED TO THE
PETITIONERS BY VILLAGE OFFICER PERINGAVU.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.14567 of 2015

Dated this the 23rd day of June, 2015

J U D G M E N T

The petitioners impugn Ext.P1 demand notice under the Revenue Recovery Act.

2. Ext.P1 notice was issued at the behest of the respondent Bank for recovering the loan amount from the persons referred in the notice. One of the addressee of the notice is the son of the petitioners. The petitioners submit that, they have no liability with the Bank and therefore, no proceedings can be initiated against them.

2. It is submitted by the learned Standing Counsel for the Bank that, they are not proceeding against the petitioners and no property of the petitioners will be proceeded. It is also submitted that, the Bank will proceed against the property belongs to the son of the petitioners and all other addressees of the notice.

3. The above submission is recorded. In view of the above, this writ petition is disposed of. It is made clear that, no proceedings shall be initiated against the petitioners in person or the property stand in their name. The Bank is at liberty to proceed against the property of the petitioners' son including the transferred property, in accordance with law.

This writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.