

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA**

**THURSDAY, THE 6TH DAY OF AUGUST 2015/15TH SRAVANA, 1937**

**WP(C).No. 20652 of 2009 (B)**  
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**PETITIONER(S):**  
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**R.S.ROSE MILAN DANIEL,  
TOWN PLANNING OFFICER, CORPORATION OF KOLLAM, KOLLAM.**

**BY ADVS.SRI.NAGARAJ NARAYANAN  
SRI.SAIJO HASSAN  
SRI.A.S.SABU  
SRI.PRATHAP PILLAI  
SRI.RAFEEL V.K.**

**RESPONDENT(S):**  
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- 1. KERALA STATE FINANCIAL ENTERPRISES  
LIMITED, AKSHAYA SHOPPING COMPLEX, NEYYATTINKARA  
REPRESENTED BY ITS BRANCH MANAGER.**
- 2. SPECIAL DEPUTY TAHSILDAR (RR),  
OFFICE OF THE SPECIAL DEPUTY TAHSILDAR (RR)  
KERALA STATE FINANCIAL ENTERPRISES LIMITED  
AKSHAYA SHOPPING COMPLEX, NEYYATTINKARA.**
- 3. CORPORATION OF KOLLAM,  
KOLLAM, REPRESENTED BY ITS SECRETARY.**

**R1 BY M.GOPIKRISHNAN NAMBIAR, STANDING COUNSEL, KSFE  
R3 BY ADV. SRI.M.K.CHANDRA MOHAN DAS,SC,KOLLAM MPT**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06-08-2015, THE  
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**WP(C) NO.20652/2009**

**APPENDIX**

**PETITIONER'S EXHIBITS:**

- P1: COPY OF THE RECOVERY PROHIBITORY ORDER DATED 20.03.2009 IN CHITTY  
LOAN NO.134/2000**
- P2: COPY OF THE REVENUE RECOVERY PROHIBITORY ORDER DATED 25.03.2009  
IN CHITTY LOAN NO.4/2003**
- P3: COPY OF THE REPRESENTATION DATED 23.04.2009 SUBMITTED BY THE  
PETITIONER**

**RESPONDENTS' EXHIBITS: N I L**

**//TRUE COPY//**

**P.A. TO JUDGE**

**JV**

**ANIL K. NARENDRAN, J.**

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**W.P.(C) No.20652 of 2009**  
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**Dated this the 6<sup>th</sup> day of August, 2015**

**JUDGMENT**

The petitioner has filed this writ petition seeking a writ of certiorari to quash Exts.P1 and P2 and seeking a writ of mandamus directing respondents 1 to 3 not to recover more than Rs.5,000/- from the salary of the petitioner in total.

2. By order dated 28.07.2009, this Court granted an interim order staying all further proceedings pursuant to Exts.P1 and P2 for a period of one month, which interim order was extended until further orders on 28.8.2009. Later, the matter was placed before the National Lok Adalath. From the proceedings of the National Lok Adalath dated 11.04.2015, it is seen that, though the officials of KSFE were present on 11.04.2015, neither the petitioner nor his counsel was present. The officials of KSFE represented that, the loan account has already been closed and nothing is due from the petitioner. Since the petitioner was not present on 11.04.2015, the National Lok Adalath could not pass any Award and as such, the matter

was sent back to Court.

Since the petitioner has already closed the loan account and that, nothing is due from the petitioner to KSFE in respect of the loan transaction, which is the subject matter in Ext.P1 notice and Ext.P2 prohibitory order, nothing survives in this writ petition.

Therefore, this Writ Petition is closed.

SD/-  
**ANIL K. NARENDRAN,**  
**JUDGE**

JV