

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

WP(C).No. 16736 of 2015 (N)

PETITIONER(S) :

IVY ANTONY,
W/O.ANTONY, 276, PUTHANANGADY HOUSE,
THRIKKAKARA P.O.,
CRASH ROAD, ERNAKULAM - 682 012.

BY ADV. SRI.S.S.RAJESH.

RESPONDENT(S) :

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO HOME SECRETARY,
THIRUVANANTHAPURAM-695 001.
2. THE MANAGER,
KOTAK MAHINDRA PRIME LIMITED, 4TH FLOOR,
THADIKKARAN CENTRE, PALARIVATTOM, COCHIN-682 025.
3. MR. SEENESH PRABHAKARAN,
KOTAK MAHINDRA PRIME LIMITED, 4TH FLOOR,
THADIKKARAN CENTRE, PALARIVATTOM, COCHIN-682 025.
4. THE DISTRICT POLICE CHIEF,
ERNAKULAM-682 031.

BY GOVERNMENT PLEADER SRI BIJU MEENATTOOR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXT. P1 - TRUE PHOTOCOPY OF ELECTORAL IDENTITY CARD OF THE PETITIONER.

EXT. P2 - TRUE COPY OF THE PAN CARD OF THE PETITIONER.

EXT. P3 - TRUE COPY OF THE LAWYER NOTICE DATED 30.07.2014 ISSUED BY THE 2ND RESPONDENT.

EXT. P4 - TRUE COPY OF THE LAWYER NOTICE DATED 9.3.2015 ISSUED BY THE 2ND RESPONDENT.

EXT. P5 - TRUE COPY OF THE PAYMENT RECEIPT DATED 16.4.2015.

EXT. P6 - TRUE COPY OF THE REPRESENTATION DATED 20.5.2015 BY THE PETITIONER TO 2ND RESPONDENT.

EXT. P7 - TRUE COPY OF THE REPRESENTATION DATED 10.5.2015 BY THE PETITIONER TO THE 4TH RESPONDENT.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

K. VINOD CHANDRAN, J.

W.P.(C) No. 16736 of 2015 (N)

Dated this the 15th day of June, 2015

J U D G M E N T

The petitioner is concerned with a vehicle she admittedly purchased after availing finance from the 2nd respondent. The default in instalments is also admitted. The petitioner contends that the 2nd respondent would take possession of the vehicle and hence she has to be granted protection from the same by the 4th respondent.

2. Admittedly, the dispute between the petitioner and the 2nd respondent is of a loan transaction in which this Court would not interfere under Article 226 of the Constitution of India. Neither would the 4th respondent interfere, unless there is a law and order situation.

In such circumstance, leaving open the petitioner's remedies otherwise, writ petition would stand dismissed.

Sd/-
K.VINOD CHANDRAN,
JUDGE