

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

WP(C).No. 21136 of 2013 (N)

E.P.NO.49/2010 IN O.P.NO.66/2008 OF DISTRICT COURT, THALASSERY

PETITIONER(S):

**K.NOUSHAD, AGED 40 YEARS,
S/O.IBRAHIM, "KEERIRAKATH HOUSE", KALLIASSERY,
MANGAD P.O., KANNUR DISTRICT - 670 562.**

BY ADV. SRI.T.K.SASINDRAN

RESPONDENT(S) :

- 1. THE VILLAGE OFFICER, KALLISSERY,
KANNUR DISTRICT - 670 562.**
- 2. SHRIRAM TRANSPORT FINANCE CO. LTD.,
KANNUR BRANCH, REPRESENTED BY ITS P.A.HOLDER, K.DASAN,
S/O.KRISHNAN, AGED 63 YEARS, CONSULTANT,
SHRIRAM TRANSPORT FINANCE CO.LTD., KANNUR - 670 001.**
- 3. K.MUHAMMED KUNHI, AGED 42 YEARS,
C/O.SAMEERA, (W/O.K.MOHAMMED KUNHI),
KALLOURIYAKATH HOUSE, MANGAD P.O., KALLIASSERY,
KANNUR DISTRICT - 670 562.**
- 4. RAMAKRISHNAN, AGED 40 YEARS
MOTTAMMAL HOUSE, KANNAPURAM, KALLIASSERY
KANNUR DISTRICT - 670 562.**

**R1 BY GOVERNMENT PLEADER SRI.S.JAMAL
R2 BY ADV. SRI.RAJESH NAMBIAR
R4 BY ADV. SRI.O.D.SIVADAS**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 20-07-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

WP(C).No. 21136 of 2013 (N)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXT.P1: TRUE COPY OF THE EXECUTION PETITION FILED BY
 THE 2ND RESPONDENT BEFORE THE DISTRICT COURT,
 THALASSERY VIDE E.P.NO.49/2010 IN O.P. NO.66/2008.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K. VINOD CHANDRAN, J.

W.P(C). No.21136 of 2013

Dated this the 20th day of July, 2015.

JUDGMENT

The petitioner is aggrieved with the recovery proceedings taken against the petitioner in E.P. No.49 of 2010 in O.P. No.66 of 2008 by the District Court, Thalassery. The petitioner's contention is that, the 3rd respondent, who is the brother of the petitioner, had availed a loan from the 2nd respondent, giving the address of the petitioner. The petitioner, if aggrieved with the proceedings taken by the Court in the Execution Petition, has to approach the said Court and put forth his objections there.

The writ petition would stand closed, reserving the above liberty.

Sd/-

**K. VINOD CHANDRAN,
JUDGE**

sp