

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 29TH DAY OF JULY 2015/7TH SRAVANA, 1937

WP(C).No. 19567 of 2015 (U)

PETITIONER(S):

- 1. POLACHAN. K.K., S/O.K.C.KURIAPPAN,
KANJOOKKARAN HOUSE, MANJAPRA P.O.,
ERNAKULAM DISTRICT, PIN- 683 581.**
- 2. SAJINI POLACHAN, POLACHAN K.K.,
KANJOOKKARAN HOUSE, MANJAPRA P.O.,
ERNAKULAM DISTRICT, PIN- 683 581.**

BY ADV. SRI.DINESH MATHEW J.MURICKEN.

RESPONDENT(S):

- 1. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM, PALAYAM P.O., PIN- 695 001.**
- 2. STATE BANK OF INDIA,
RASMECC, ALUVA, ERNAKULAM- 683 101,
REPRESENTED BY ITS MANAGER.**
- 3. THE DEPUTY TAHSILDAR,
REVENUE RECOVERY, TALUK OFFICE, ALUVA,
MINI CIVIL STATION, 1ST FLOOR, ALUVA P.O.,
ERNAKULAM -683 101.**
- 4. THE VILLAGE OFFICER,
MANJAPRA VILLAGE OFFICE,
MANJAPRA P.O., ERNAKULAM- 683 581.**

**R1, R3 & R4 BY GOVT. PLEADER SMT.M.T. SHEEBA.
R2 BY SRI.K.K.CHANDRAN PILLAI, SENIOR ADVOCATE.
ADV. SMT.SAMBILY.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 19567 of 2015 (U)

APPENDIX

PETITIONER'S EXHIBITS:-

**P1: TRUE COPY OF THE CERTIFICATE OF REGISTRATION OF MARUTI SWIFT
DZIRE BEARING NO. KL 63-6373.**

**P2: TRUE COPY OF THE REVENUE RECOVERY NOTICE ISSUED BY
THE 3RD RESPONDENT TO THE PETITIONER DATED 18.05.2015.**

RESPONDENT'S ANNEXURE:-

**ANNEXURE I COPY OF THE RECALL NOTICE DATED 21/05/2014
ISSUED TO THE 1ST PETITIONER.**

//TRUE COPY//

P.A. TO JUDGE

rs.

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 19567 of 2015

Dated this the 29th day of July, 2015

J U D G M E N T

Petitioners availed a vehicle loan. Petitioners challenge revenue recovery proceedings initiated by the respondent Bank to recover the loan amount.

2. In the statement filed by the 2nd respondent Bank it is stated that, the petitioners are chronic defaulters and the account has become NPA on more than 10 times and Bank has shown leniency and regularised the loan account in all those occasions. It is stated that total amount due to the Bank is ₹3,80,469/- excluding future interest and revenue recover expenses.

3. Taking note of the facts and circumstances, following directions are issued:

(i) The petitioners shall discharge the entire liability in 10 monthly instalments starting from 20.08.2015 along with future interest and revenue recovery expenses.

(ii) If the petitioners discharge the above amount, coercive steps shall be deferred in tune with the above directions.

(iii) If the petitioners commit default in paying any one of the instalments, the Bank is free to proceed against the petitioners.

This writ petition is disposed of.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.

Pn