

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

FRIDAY, THE 7TH DAY OF AUGUST 2015/16TH SRAVANA, 1937

WP(C).No. 19916 of 2015 (L)

PETITIONER(S):

**M/S.NCUBE TECHNOLOGIES,
REPRESENTED BY IT'S PARTNER, T.S.SANTHOSH,
S/O MR. T.V. SASIDHARAN, 1/517, THIRUNILATH HOUSE,
NETTOOR P.O., ERNAKULAM DISTRICT - 682 040.**

**BY ADVS.SRI.C.A.MAJEED
SRI.K.H.ASIF
SMT.RAAGA R.RAMALAKSHMI
SRI.K.J.SHARATH KUMAR**

RESPONDENT(S):

- 1. M/S. TAMILNADU MERCANTILE BANK LTD.,
THIRUVANANTHAPURAM REGIONAL OFFICE,
THIRUVANANTHAPURAM - 695 009 ,
REPRESENTED BY IT'S CHIEF MANAGER**
- 2. BRANCH MANAGER,
M/S TAMILNADU MERCANTILE BANK LTD., D.NO.64/3334-A,
CHITTOOR ROAD, NEXT TO SRISUDHEENDRA HOSPITAL,
KACHERIPPADY, ERNAKULAM - 682 018.**

BY ADV. SRI.V.V.SURENDRAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
07-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: APHOTO COPY OF THE SANCTION LETTER DATED 11/2/2009 ISSUED BY THE 2ND RESPONDENT.

EXT.P2: APHOTOCOPY OF THE LETTER DATED 21/7/2010 ISSUED BY THE 2ND RESPONDENT.

EXT.P3: APHOTOCOPY OF THE LETTER DATED 20/9/2010 ISSUED BY THE 1ST RESPONDENT.

EXT.P4: APHOTOCOPY OF THE REPLY DATED 7/10/2010 SUBMITTED BY THE PETITIONER.

EXT.P5: APHOTOCOPY OF THE POSSESSION NOTICE DATED 9/3/2012 BY THE RESPONDENT.

EXT.P6: APHOTOCOPY OF THE LAWYER NOTICE DATED 20/11/2014 ISSUED ON BEHALF OF THE RESPONDENT.

EXT.P7: APHOTOCOPY OF THE REQUEST DATED 3/12/2014 SUBMITTED BY THE PETITIONER.

EXT.P8: APHOTOCOPY OF THE NOTICE DATED 27/6/2015 ISSUED BY THE ADVOCATE COMMISSIONER

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Ms v/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.19916 of 2015

Dated this the 7th day of August, 2015

JUDGMENT

The petitioner have approached this Court challenging SARFAESI proceedings. This Court on 2.7.2015 directed the petitioner to remit Rs.25 lakhs within one month.

2. It is submitted by the learned standing counsel for the Bank that the petitioner have not remitted any amount sofar.

3. Nothing further survives for consideration for this Court to grant any discretionary relief to the petitioner. If the petitioner have any grievance against SARFAESI proceedings, they are free to approach the Debts Recovery Tribunal.

With that liberty, this writ petition is dismissed.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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