

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

WP(C).No. 20589 of 2015 (W)

PETITIONER(S) :

**RAMACHANDRAN T.S., AGED 55 YEARS,
S/O.E.K.SEKHARA PILLAI, RAMANILAYAM (THOPPIL VEEDU),
PUNNAPARA P.O, ALAPPUZHA.**

**BY ADVS.SRI.A.T.ANILKUMAR
SMT.V.SHYLAJA**

RESPONDENT(S) :

- 1. STATE BANK OF TRAVANCORE,
PUNNAPARA BRANCH, REPRESENTED BY THE MANAGER,
MUNDYKATTIL BUILDINGS, PUNNAPARA.**
- 2. THE AUTHORIZED OFFICER
STATE BANK OF TRAVANCORE, REGIONAL OFFICE, KALARKODE,
ALAPPUZHA.**
- 3. DISTRICT INDUSTRIAL CENTRE,
ALAPPUZHA, REPRESENTED BY ITS GENERAL MANAGER.**

**R1 & R2 BY ADV. SRI.R.S.KALKURA, S.C, SBT
R3 BY GOVERNMENT PLEADER SRI.RANJITH**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 27-10-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

- P1: TRUE COPY OF THE SANCTION LETTER ISSUED BY
THE 1ST RESPONDENT TO THE PETITIONER.**
- P2: TRUE COPY OF THE MEMORANDUM OF DEPOSIT OF TITLE DEED.**
- P3: TRUE COPY OF THE LETTER SANCTIONING SUBSIDY TO
THE PETITIONER.**
- P4: TRUE COPY OF THE LETTER SENT FROM 3RD RESPONDENT TO
THE PETITIONER.**
- P5: TRUE COPY OF THE LETTER DATED 13.02.2015 SENT FROM FIRST
RESPONDENT TO PETITIONER.**
- P6: TRUE COPY OF THE SECTION 13(2) NOTICE.**
- P7: TRUE COPY OF THE PAPER PUBLICATION OF SECTION 13(4) NOTICE OF
THE ACT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.20589 of 2015
.....

Dated this the 27th day of October, 2015

J U D G M E N T

The petitioner approached this Court aggrieved by the steps taken by the respondent bank under the SARFAESI Act for recovery of the defaulted loan amounts. By an interim order dated 11.09.2015, this Court had granted a stay, of recovery proceedings against the petitioner, on condition that the petitioner paid an amount of Rs.1 lakh to the 1st respondent within a period of one month from the date of the interim order. When the matter was called up today, it is submitted by counsel for the petitioner that the petitioner has not complied with the directions in the interim order dated 11.09.2015. Taking note of the said submission, I am of the view that the petitioner is not entitled to the discretionary relief of this Court under Article 226 of the Constitution of India, in the present writ petition.

Resultantly, the writ petition fails and is accordingly dismissed.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**

