

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

WP(C).No. 21817 of 2015 (B)

PETITIONER(S) :

**M/S.R.G.ENTERPRISES,
HOTEL VAKKOM PLAZA, TC 1/699, EDAVILA,
PANAYIKADAVU ROAD, VAKKOM (P.O),
THIRUVANANTHAPURAM- 695 038,
REPRESENTED BY ITS MANAGING PARTNER,
GOLDA RAJESH, TC 1/699, EDAVILA, PANAYIKADAVU ROAD,
VAKKOM P.O, THIRUVANANTHAPURAM- 695 038.**

**BY ADVS.SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.
SRI.AJIT G.ANJARLEKAR
GOVINDH PADMANABHAN**

RESPONDENT(S) :

**INDIAN OVERSEAS BANK,
ATTINGAL BRANCH, THIRUVANANTHAPURAM - 695 101,
REPRESENTED BY ITS AUTHORISED OFFICER.**

BY ADV. SRI.SUNIL SHANKAR, S.C

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 11-08-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1: A TRUE PHOTOCOPY OF THE DEMAND NOTICE ISSUED IN TERMS
OF SECTION 13(2) OF THE 'ACT' DATED 09.02.2015.**

EXHIBIT P2: A TRUE PHOTOCOPY OF THE REPLY SENT BY THE PETITIONER.

**EXHIBIT P3: A TRUE PHOTOCOPY OF THE NOTICE DATED 21.04.2015 ISSUED IN
THIS REGARD BY THE RESPONDENT BANK.**

**EXHIBIT P4: A TRUE PHOTOCOPY OF THE STAY PETITION I.A NO.1462 OF 2015
IN SA NO. 237 OF 2015 FILED BEFORE THE DEBT RECOVERY
TRIBUNAL.**

**EXHIBIT P5: A TRUE PHOTOCOPY OF THE SALE NOTICE DATED 10.06.2015
ISSUED BY THE RESPONDENT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 21817 of 2015

Dated this the 11th day of August, 2015

J U D G M E N T

The petitioner has approached this Court challenging SARFAESI proceedings. On 29.07.2015, this court ordered the petitioner to remit ₹1 crore within 10 days. It appears that the petitioner did not remit the amount.

2. Considering the limited jurisdiction of this Court, this Court is of the view that, if the petitioner has any grievance against SARFAESI proceedings, petitioner is free to invoke such remedy before the DRT.

With that liberty, this writ petition is disposed of.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.