

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. 22718 of 2015 (L)

PETITIONER:

**JOHN. Y, S/O.YOHANNAN, AGED 59 YEARS,
RESIDING AT SHINE STAR, PARASUVAIKAL,
PARASSALA P.O., THIRUVANANTHAPURAM-695508.**

**BY ADVS.SRI.T.C.SURESH MENON
SRI.P.S.APPU
SRI.A.R.NIMOD**

RESPONDENT(S):

- 1. ORIENTAL BANK OF COMMERCE,
M.G.ROAD, THIRUVANANTHAPURAM-695001,
REPRESENTED BY ITS CHIEF MANAGER.**
- 2. THE AUTHORIZED OFFICER,
REPRESENTED BY THE CHIEF MANAGER,
ORIENTAL BANK OF COMMERCE, M.G.ROAD,
THIRUVANANTHAPURAM-695001.**
- 3. NAZIMUDEEN, S/O.MOHAMMED HANEEFA,
RESIDING AT T.C.42/1393, MUTTATHARA,
THIRUVANANTHAPURAM-695008.**

R1 & R2 BY SRI.SAJI P.JOSEPH, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

mbr/

WP(C).No. 22718 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT-P1: TRUE COPY OF THE CERTIFICATE ISSUED BY THE BANK
DATED 6.2.2013.**

**EXHIBIT-P2: TRUE COPY OF THE ORDER PASSED BY THE DEBT RECOVERY
TRIBUNAL DATED 28.3.2013.**

**EXHIBIT-P3: TRUE COPY OF THE ORDER IN M.C.NO.545/2015 ON THE FILE OF THE
CHIEF JUDICIAL MAGISTRATE, THIRUVANANTHAPURAM
DATED 29.5.2015.**

**EXHIBIT-P4: TRUE COPY OF THE NOTICE ISSUED BY THE ADVOCATE
COMMISSIONER DATED 7.7.2015.**

**EXHIBIT-P5: TRUE COPY OF THE CERTIFICATE ISSUED BY SNEHA HOSPITAL,
BALARAMAPURAM DATED 21.7.2015.**

EXHIBIT-P6: TRUE COPY OF THE ENCUMBRANCE CERTIFICATE DATED 16.5.2015.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 22718 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 initiation of SARFAESI proceedings in respect of the property covered as per Ext.P4 notice.

2. Learned standing counsel for the Bank submits that, they are not proceeding against the property referred in Ext.P4.

Recording the above submission, this writ petition is closed.

Sd/-
A. MUHAMED MUSTAQUE, JUDGE.