

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 3RD DAY OF SEPTEMBER 2015/12TH BHADRA, 1937

WP(C) .No. 23543 of 2015 (P)

PETITIONER(S) :

SHAJIL KHAN
'SNEHATHEERAM', KURAKKADA P.O., KORANI
THIRUVANANTHAPURAM - 695 104.

BY ADVS.SRI.SHABU SREEDHARAN
SRI.JOLLY GEORGE
SRI.K.P.UNNIKRISHNAN (ELOOR)
SRI.T.S.PRASANNAKUMAR
SRI.K.V.PREMSANKAR
SMT.RESHMA ABDUL RASHEED

RESPONDENT(S) :

1. THE MANAGER, STATE BANK OF TRAVANCORE
PERUNGUZHAY BRANCH, THIRUVANANTHAPURAM - 695 305.

2. THE DEPUTY THAHSILDAR (R.R)
THALUK OFFICE, CHIRAYANKEEZHU
THIRUVANANTHAPURAM - 695 604.

R1 BY ADV. SRI.SATHISH NINAN
BY GOVERNMENT PLEADER SMT.K.T.LILLY
BY SRI.JAWAHAR JOSE, STATE BANK OF TRAVANCORE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 23543 of 2015 (P)

APPENDIX

PETITIONER(S) ' EXHIBITS

P1 - THE TRUE COPY OF THE SAID CIRCULAR DT. 09.4.2014 ALONG WITH THE
LETTERS OF THE MINISTRY OF FINANCE AND THE SECRETARIAT OF THE ELECTION
COMMISSION.

P2 - THE TRUE COPY OF THE DEMAND NOTICE DT. 16.7.2015.

P3 - THE TRUE COPY OF THE NOTICE DT. 22.7.2015.

RESPONDENT(S) ' EXHIBITS:NIL

//TRUE COPY//

P.A TO JUDGE

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.23543 OF 2015

.....
Dated this the 3rd day of September, 2015

J U D G M E N T

The petitioner, who had availed of an education loan from the 1st respondent, defaulted in repayment of the same. Accordingly, the respondents initiated proceedings under the Revenue Recovery Act. Ext.P2 is the notice issued under the Revenue Recovery Act. When the matter came up for admission before this Court on 07.08.2015, this Court, by an interim order, granted a stay against recovery proceedings, on condition that the petitioner remitted an amount of Rs.10,000/- within one week. The petitioner did not remit the amount within the time granted by this Court. Accordingly, by another order dated 18.08.2015, the petitioner was given a further period of one week to deposit the said amount. When the case was taken up for orders today, it is submitted by counsel for the petitioner that, he has no instructions in the matter. Counsel for the respondent bank would submit that, the amount that was directed to be paid by the petitioner has not been remitted by the petitioner till date. Taking note of this submission of counsel for the respondent bank, I find that the petitioner is not entitled to any discretionary relief from this Court under Article 226 of the Constitution of India.

Resultantly, the writ petition fails and is accordingly dismissed.

A.K.JAYASANKARAN NAMBIAR
JUDGE

mns/

