

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

TUESDAY, THE 6TH DAY OF OCTOBER 2015/14TH ASWINA, 1937

WP(C).No. 24553 of 2014 (T)

PETITIONER(S):

- 1. LISAMMA SAM AGED 48 YEARS
W/O. SAM THOMAS, PROPRIETRESS SONY TIMBERS
PUTHIYAKAVU, THRIPIUNITHURA, PANIKKASSERY HOUSE
APPOLO ROAD, THAMMANAM - 682 032.**
- 2. SAM THOMAS AGED 55 YEARS
S/O. THOMAS, PANIKKASSERY HOUSE, APPOLO ROAD
THAMMANAM -P.O., EDAPALLY SOUTH VILLAGE
KANAYANNUR TALUK**

**BY ADVS.SRI.JOHNSON ABRAHAM
SRI.NELSON ABRAHAM**

RESPONDENT(S):

- 1. THE AUTHORISED OFFICER
CHIEF MANAGER, THE FEDERAL BANK LIMITED
HILL PALACE ROAD, TRIPUNITHURA- 682 301.**
- 2. BRANCH MANAGER,
THE FEDERAL BANK LIMITED, HILL PALACE ROAD
TRIPUNITHURA- 682 301.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06-10-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WP(C).No. 24553 of 2014 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1- COPY OF THE NOTICE UNDER SECTION 13 (2) OF THE SARFAESI ACT
DATED 18/10/2012.**

**EXHIBIT-P2- COPY OF THE REPLY LAWYER NOTICE DATED 16/12/2012 ISSUED BY
THE PETITIONERS TO THE IST RESPONDENT.**

**EXHIBIT-P3- COPY OF THE REPLY NOTICE DATED 27/12/2012 ISSUED BY THE
RESPONDENTS.**

**EXHIBIT-P4- COPY OF THE POSSESSION NOTICE DATED 15/02/2013 AFFIXED BY
THE RESOPONDENTS.**

RESPONDENT(S)' EXHIBITS: N I L

//TRUE COPY//

P.A. TO JUDGE

JV

ANIL K. NARENDRAN, J.

W.P.(C) No.24553 of 2014

Dated this the 06th day of October, 2015

JUDGMENT

The petitioner, who availed a cash credit facility with a limit up to Rupees Twenty five lakhs from the respondent Bank, has approached this Court in this writ petition seeking a writ of certiorari to quash Ext.P1 notice issued under Section 13(2) of the SARFAESI Act and Ext.P4 possession notice issued under Rule 8(1) of the Rules made thereunder.

2. By order dated 22.09.2014 this Court directed the respondents to maintain status quo with regard to dispossession for a period of two weeks subject to the satisfaction of Rupees Five lakhs on or before 30.09.2014.

3. Today, when the case was taken up for further consideration, the learned counsel for the petitioner would submit that the petitioner has already cleared the entire liability and the loan account has also been closed.

In such circumstances, nothing survives in this writ petition and the same is dismissed.

SD/-
ANIL K. NARENDRAN,
JUDGE