

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 12TH DAY OF AUGUST 2015/21ST SRAVANA, 1937

WP(C).No. 24500 of 2015 (J)

PETITIONER(S):

1. KAPICO KERALA RESORTS PVT. LTD. ,
52 MR SQUARE, D H ROAD, KOCHI - 682 016,
REPRESENTED BY ITS DIRECTOR
SRI.MATHEW MUTHOOTTU.
2. ROY M.MATHEW, S/O.LATE M.MATHEW,
MUTHOOTTU HOUSE, KOZHENCHERRY,
PATHANAMTHITTA.
3. PRADEEP KUMAR HANDA,
S/O.LATE BANSHI LAL HANDA, K-117,
KAUZ KHAS ENCLAVE, NEW DELHI - 110 016.

BY ADVS.SRI.M.GOPIKRISHNAN NAMBIAR
SRI.P.GOPINATH
SRI.P.BENNY THOMAS
SRI.K.JOHN MATHAI
SRI.JOSON MANAVALAN
SRI.KURRYAN THOMAS

RESPONDENT:

KERALA STATE INDUSTRIAL
DEVELOPMENT CORPORATION,
KESTON ROAD, KOWDIAR,
THIRUVANANTHAPURAM - 695 003,
REPRESENTED BY ITS MANAGING DIRECTOR.

BY SRI.SAJI VARGHESE, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

mbr/

WP(C).No. 24500 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS:

- P1- TRUE COPY OF LETTER BEARING NO.SME/04/470, DATED 17.1.2015 FROM THE CHIEF MANAGER, SME BRANCH, STATE BANK OF INDIA, ERNAKULAM.
- P2- TRUE COPY OF LETTER BEARING NO.EKM 13-14/SANC/KKRPL, DATED 27.12.2014 FROM THE ASSISTANT GENERAL MANAGER, UNION BANK OF INDIA, ERNAKULAM MAIN BRANCH.
- P3- TRUE COPY OF THE NOTICE DATED 8.7.15 BEARING NO.CHN/3291/15/LEGAL/750 ISSUED BY THE RESPONDENT.
- P4- TRUE COPY FO THE NOTIFICATION DATED 9.1.2009.
- P5- TRUE COPY OF THE ORDER DATED 26.2.2014 IN WP(C) NO.30389/2013.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.24500 of 2015

Dated this the 12th day of August, 2015

JUDGMENT

Petitioners, apprehending recovery proceedings pursuant to Ext.P3 notice, have approached this Court.

2. The main contention of the petitioners is that the respondents cannot initiate revenue recovery proceedings against them.

2. Learned standing counsel submits that Ext.P3 is only a notice and the respondent have not made any request before the revenue officials to initiate revenue recovery proceedings.

3. In that view of the matter, this Court is of the view that no cause of action has arisen for consideration in this writ petition as Ext.P3 is only a notice. The petitioners are free to raise objection against Ext.P3 in accordance with law.

With liberty to challenge any revenue recovery based on any future cause of action, this writ petition is disposed of.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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