

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRA

MONDAY, THE 12TH DAY OF OCTOBER 2015/20TH ASWINA, 1937

WP(C).No. 31885 of 2014 (I)

PETITIONER(S):

**VANUKKUTTAN AGED 67 YEARS
S/O. CHELLAPPAN ACHARY, OF SOUPARNIKA, NO.7
P.K.NAGAR, VADAKKEVILA POST, KOLLAM.**

BY ADV. SRI.R.KISHORE

RESPONDENT(S):

- 1. DENA BANK
THIRUVANANTHAPURAM BRANCH, 4, RAJADHANI BUILDING
EAST FORT
THIRUVANANTHAPURAM REPRESENTED BY ITS CHIEF MANAGER.**
- 2. THE EXECUTIVE DIRECTOR
HEAD OFFICE MANAGEMENT COMMITTEE, DENA BANK
BANDRA KURLA COMPLEX, C-10, G-BLOCK
BANDRA, MUMBAI - 400 001.**
- 3. ANIAN KOSHY
S/O. G.KUNJUKOSHY, NELLIVILA PUTHEN VEEDU
KIZHEKKETHERUVE POST, KOTTARAKKARA.**

**R1-R2 BY ADV. SRI.PHILIP T.VARGHESE
R1-R2 BY ADV. SRI.THOMAS T.VARGHESE
R1-R2 BY ADV. SMT.ACHU SUBHA ABRAHAM
R1-R2 BY ADV. SMT.K.R.MONISHA
R1-R2 BY ADV. SRI.BOBY C. BABY
R1-R2 BY ADV. SRI.ANOOP BHASKAR**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12-10-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

JV

ANIL K. NARENDRA, J.

W.P.(C) No.31885 of 2014

Dated this the 12th day of October, 2015

JUDGMENT

The petitioner has filed this writ petition seeking a writ of certiorari to quash Ext.P8 notice issued by the 1st respondent and seeking a writ of mandamus commanding the said respondent to permit him to pay the balance amount outstanding in respect of cash credit facility availed by the 3rd respondent, in which the petitioner stood as surety, in monthly installments within a period of 30 months or in 36 equal monthly installments as sought for in Ext.P7 letter.

2. On 28.09.2015, when this case was taken up for consideration, there was no representation for the petitioner and therefore, the matter was ordered to be posted to next week. On 08.10.2015, when the matter came up for further consideration, none appeared for the petitioner. The learned Standing Counsel for the respondent Bank submitted that symbolic possession of the secured asset has already been taken. After recording the said submission, the matter was again posted

today for further consideration. Today also, none appears for the petitioner.

In such circumstances, this writ petition is dismissed for default.

JV

sd/-
ANIL K. NARENDRA,
JUDGE