

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR**

**MONDAY, THE 2ND DAY OF NOVEMBER 2015/11TH KARTHIKA, 1937**

**WP(C).No. 33270 of 2015 (G)**  
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**PETITIONER(S):**  
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- 1. T.P.LILLY, AGED 74 YEARS,  
WIFE OF LATE T.V.SIMON,  
THOLATH HOUSE, CHALISSERY,  
PALAKKAD DISTRICT - 679 536.**
- 2. RAJAN.S.V, AGED 46 YEARS,  
S/O.S.K.VYDYANATHAN, ABHISHEK APARTMENTS,  
KOLATHERI ROAD, MARADU.P.O., ERNAKULAM.**

**BY ADV. SMT.K.N.RAJANI**

**RESPONDENT(S):**  
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- 1. INDIAN BANK, KUNNAMKULAM BRANCH,  
VADAKKANCHERRY ROAD, KUNNAMKULAM.P.O.,  
PIN - 680 503, REPRESENTED BY ITS BRANCH MANAGER.**
- 2. INDIAN BANK, CIRCLE OFFICE, PULLEPPADY JUNCTION,  
CHITTOOR ROAD, KOCHI - 682 035,  
REPRESENTED BY ITS ZONAL MANAGER.**

**BY SRI.S.EASWARAN, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 02-11-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

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**APPENDIX**

**PETITIONERS' EXHIBITS:**

- EXT. P1 : THE TRUE COPY OF THE LETTER DATED 7.10.2006 ISSUED BY THE PETITIONER TO THE RESPONDENT BANK.
- EXT. P2 : THE TRUE COPY OF THE JUDGMENT IN WRIT PETITION NO.29444/2006 DATED 19.7.2007.
- EXT. P3 : THE TRUE COPY OF THE NOTICE ISSUED BY THE RESPONDENT DATED 25.9.2012.
- EXT. P4 : THE TRUE RECEIPT DATED 18.3.2013.
- EXT. P5 : THE TRUE COPY OF DOCUMENTS SHOWING THE CLOSURE OF SALES TAX ARREARS.
- EXT. P6 : THE TRUE COPY OF THE ORDER PASSED BY THE DEBT RECOVERY TRIBUNAL, DATED 22.6.2015.
- EXT. P7 : THE TRUE COPY OF THE LETTER ISSUED BY THE RESPONDENT DATED 8.8.2015.
- EXT. P8 : THE LETTER SUBMITTED BY THE 1ST PETITIONER DATED 18.9.2015.
- EXT. P9 : THE LETTER SUBMITTED BY THE 2ND PETITIONER DATED 18.9.2015.

**RESPONDENTS' EXHIBITS:** NIL.

//TRUE COPY//

P.S. TO JUDGE

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**A.K.JAYASANKARAN NAMBIAR, J.**

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**W.P.(C) No. 33270 of 2015**  
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Dated this the 2<sup>nd</sup> day of November 2015

**JUDGMENT**

The limited prayer of the petitioners in the writ petition is for a direction to the respondent bank to consider and pass orders on Exts.P8 and P9 representations that have been filed by them, seeking the benefit of a One Time Settlement scheme.

2. I have heard the learned counsel appearing for the petitioners as also the learned standing counsel appearing for the respondent. It is submitted by the learned standing counsel for the respondent that, inasmuch as a decision on the representations can be taken only by the Head Office, the respondents would require three months time for taking a decision. Taking note of the said submission, I dispose the writ petition with a direction to the respondents, to consider and pass orders on Exts.P8 and P9 representations preferred by the petitioners, within a period of three months from the date of receipt of copy of this judgment. It is made clear that, till such time as orders are passed by the respondents as directed and communicated to the petitioner, further proceedings for recovery, as against the petitioners, shall be kept in abeyance.

**A.K.JAYASANKARAN NAMBIAR**  
**JUDGE**

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