

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 11TH DAY OF SEPTEMBER 2015/20TH BHADRA, 1937

WP(C).No. 37819 of 2010 (B)

PETITIONER(S):

**AGASTI, S/O.JOHN,
KOMMATTATHIL, MUTHUKAD POST, CHAKKITTAPPARA
PILLA PERUVANNA, KOZHIKODE DISTRICT.**

**BY ADVS.SRI.K.P.SUDHEER
SRI.V.C.MADHAVANKUTTY**

RESPONDENT(S):

- 1. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY, DEPARTMENT OF AGRICULTURE AND CO-
OPERATION, SECRETARIAT, THIRUVANANTHAPURAM-695001.**
- 2. THE KOYILANDY CO-OPERATIVE AGRICULTURAL
AND RURAL DEVELOPMENT BANK LTD. NO.D-2020
PERAMBRA BRANCH, REPRESENTED BY ITS MANAGER
PERAMBRA.P.O.-673 525, KOZHIKODE DISTRICT.**
- 3. THE JUNIOR INSPECTOR/SPECIAL SALE
OFFICER, KOYILANDY CO-OPERATIVE AGRICULTURAL AND
RURAL DEVELOPMENT BANK LTD. NO.D-2020
P.O.BALUSSERY-673 612, KOZHIKODE DISTRICT.**
- 4. UNION OF INDIA, REPRESENTED BY ITS
SECRETARY, DEPARTMENT OF FINANCIAL SERVICES
MINISTRY OF FINANCE, NEW DELHI-110 001.**

**BY ADV. SRI.T.P.M.IBRAHIM KHAN,ASST.S.G OF INDI
BY ADV. SRI.B.V.JOY SANKER
BY ADV. SRI.P.PARAMESWARAN NAIR,ASST.SOLICITOR
BY ADV. SRI.E.M.ABDUL KHADER, GOVERNMENT PLEADER
BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11-09-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER'S EXHIBITS:-

EXHIBIT-P1-TRUE COPY OF AGRICULTURAL DEBT WAIVER AND DEBT RELIEF SCHEME, 2008 AND THE GUIDELINES.

EXHIBIT-P2-TRUE COPY OF NOTICE DATED 27.10.2010 ISSUED UNDER SEC.19 OF KERALA STATE CO-OPERATIVE (AGRICULTURAL AND RURAL DEVELOPMENT BANK) ACT, 1984 R/W RULE 8 OF KERALA STATE CO-OPERATIVE AGRICULTURAL DEVELOPMENT BANK RULES BY THE THIRD RESPONDENT TO THE PETITIONER.

EXHIBIT-P3-TRUE COPY OF LETTER DATED 19TH AUGUST 2008 ISSUED BY THE FINANCE MINISTER OF INDIA TO THE SECRETARY GENERAL, LOK SABHA SECRETARIAT.

RESPONDENT(S)' EXHIBITS

NIL

R.AV

//TRUE COPY//

PA TO JUDGE

K. ABRAHAM MATHEW, J.

W.P.(C)No.37819 of 2010

Dated this the 11th day of September, 2015

J U D G M E N T

This writ petitioner is a debtor of the second respondent, Bank. The former is liable to pay Rs.58,518/- (Rupees Fifty eight thousand five hundred and eighteen only) to the latter for which it issued Ext.P2 sale proclamation under Section 19 of the Kerala State Co-operative (Agricultural and Rural Development Banks) Act. The counsel for the second respondent has filed a statement on 05.10.2012 stating that the petitioner has remitted Rs.43,490/- (Rupees Forty three thousand four hundred and ninety only) on 27.08.2012 and the balance amount of Rs.21,032/- (Rupees Twenty one thousand and thirty two only) has been waived under ASW scheme. It follows that the writ petition is only to be closed.

In the result, this writ petition is closed.

sd/-

**K. ABRAHAM MATHEW
JUDGE**

R.AV

//True Copy//

PA to Judge