

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 11TH DAY OF NOVEMBER 2015/20TH KARTHIKA, 1937

WP(C).No. 34026 of 2015 (C)

PETITIONER:

**SEETHALAKSHMI,
WIFE OF LATE P.A.KOSHY,
PANACHAKKAL HOUSE, KODAL P.O.,
PATHANAMTHITTA DISTRICT, PIN - 689693.**

BY ADV. SMT.DIVYA K.NAIR

RESPONDENT:

**THE AUTHORISED OFFICER,
FEDERAL BANK LTD., ASSET RECOVERY BRANCH,
MAR MAKIL CENTENARY MEMORIAL BUILDING,
S.H.AMOUNT P.O., NAGAMPADOM,
KOTTAYAM-686002.**

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

mbr/

WP(C).No. 34026 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXHIBIT-P1: TRUE COPY OF SALE NOTICE NO.KTMB/KOD/SL/SEPF72/2015
DATED 29.09.2015 ISSUED BY RESPONDENT TO PETITIONER.**

**EXHIBIT-P2: TRUE COPY OF REPRESENTATION DATED 14.10.2015 SUBMITTED BY
PETITIONER TO RESPONDENT.**

**EXHIBIT-P3: TRUE COPY OF POSTAL ACKNOWLEDGEMENT CARD SHOWING THE
RECEIPT OF EXHIBIT-P3 REPRESENTATION.**

RESPONDENT(S)' EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C). No. 34026 of 2015

Dated this the 11th day of November, 2015

JUDGMENT

The petitioner, who is aggrieved by recovery steps initiated by the respondent bank for recovery of the defaulted loan amounts, is a person, who had approached this Court earlier, through WP(C) No.28425 of 2013. On that occasion, this Court had permitted the petitioner to pay the defaulted amounts in installments. The petitioner, however, did not comply with the said direction and as a result thereof, the respondent continued recovery steps against the petitioner's property and has now put the property up for sale. In the present writ petition, the grievance of the petitioner is essentially with regard to the valuation done in respect of the property. I am of the view that, since the petitioner did not comply with the directions in the earlier writ petition, the present writ petition at the instance of the petitioner, cannot be maintained. If the petitioner has any grievance with regard to the valuation done in respect of the property, then it is for the petitioner to approach the appropriate forum with objections regarding the valuation done. The writ petition fails and is accordingly, dismissed.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE