

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 19TH DAY OF NOVEMBER 2015/28TH KARTHIKA, 1937

WP(C).No. 34926 of 2015 (M)

PETITIONER(S):

1. C.R.VIJAY SINGH, AGED 52 YEARS,
S/O.CHRISTUDAS, VELLAMODI VEEDU,
THIRUPURAM P.O., NEYYATTINKARA,
THIRUVANANTHAPURAM - 695 133.
2. SMT.T.ANILA, W/O.C.R.VIJAY SINGH,
VELLAMODI VEEDU, THIRUPURAM P.O.,
NEYYATTINKARA, THIRUVANANTHAPURAM - 695 133.

BY ADVS.SRI.P.C.CHACKO(PARATHANAM)
SRI.G.KEERTHIVAS

RESPONDENT(S):

1. THE AUTHORISED OFFICER & CHIEF MANAGER,
STATE BANK OF INDIA, RACPC BRANCH,
LMS COMPOUND, THIRUVANANTHAPURAM - 695 133.
2. THE BRANCH MANAGER, STATE BANK OF INDIA,
GROUND FLOOR NMCXVI/321C&D, MAIN ROAD,
NEYYATTINKARA P.O., NEYYATTINKARA,
THIRUVANANTHAPURAM - 695 121.

BY ADV. SRI.M.JITHESH MENON, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
19-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 34926 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1: TRUE COPY OF THE M.C.NO.801/2015 FILED BY THE BANK BEFORE THE CHIEF JUDICIAL MAGISTRATE, THIRUVANANTHAPURAM.

EXT.P2: TRUE COPY OF THE NOTICE DTD.21.10.2015 ISSUED BY THE ADVOCATE COMMISSIONER IN M.C.NO.801/2015 ON THE FILES OF THE CHIEF JUDICIAL MAGISTRATE COURT, TRIVANDRUM.

EXT.P3: TRUE COPY OF THE RELEVANT PORTION OF STATEMENT OF ACCOUNT OF THE PETITIONERS IN THE SECOND RESPONDENT BANK.

EXT.P4: TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONERS BEFORE THE FIRST RESPONDENT DTD.9.11.2015.

EXT.P5: TRUE COPY OF THE JUDGMENT DTD.23.8.2013 IN WP(C) NO.20833/2013 OF THIS HON'BLE COURT.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.34926 of 2015

.....
Dated this the 19th day of November, 2015

J U D G M E N T

The challenge in the writ petition is against the coercive steps initiated by the respondent bank under the SARFAESI Act for recovery of defaulted loan amounts from the petitioners. When the matter came up for admission, it is submitted by the learned Standing counsel for the respondent bank that taking note of the subsequent payments made by the petitioners in respect of the loan covered by Exts.P1 and P2 notices, the respondent bank has withdrawn the proceedings leading to Exts.P1 and P2 notices. The said submission is recorded, and finding that the grievance of the petitioner in the writ petition stands redressed, the writ petition is closed.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**

