

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 20TH DAY OF NOVEMBER 2015/29TH KARTHIKA, 1937

WP(C).No. 35154 of 2015 (T)

PETITIONER :

**MR.GOPALAN SUNI, AGED 47 YEARS,
S/O.GOPALAN, RESIDING AT TRIVENI, THEKKEVILA P.O.,
MUNDAKKAL VILLAGE, KOLLAM DISTRICT.**

BY ADV. SRI.S.SREEKUMAR (KOLLAM)

RESPONDENT(S):

- 1. THE MANAGER,
CANARA BANK, MAIN BRANCH, THAMARAKULAM,
KOLLAM- 691 001.**
- 2. THE AUTHORISED OFFICER,
CANARA BANK, MAIN BRANCH, THAMARAKULAM,
KOLLAM -691 001.**

BY SRI.V.B.HARI NARAYANAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 35154 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- A TRUE COPY OF ORDER IN WP(C).NO. 30701/2014 DATED 24.11.2014 OF THE HONOURABLE HIGH COURT OF KERALA
- P2- A TRUE COPY OF THE AGREEMENT DATED 27.6.15 EXECUTED BETWEEN THE PETITIONER AND ONE MR.HARIHARAN AND ANOTHER
- P3- A TRUE COPY OF THE LETTER DATED 29.9.2015 ISSUED BY THE 1ST RESPONDENT
- P4- A TRUE COPY OF THE E-AUCTION NOTICE DATED 12.10.2015 ISSUED BY THE 1ST RESPONDENT
- P5- A TRUE COPY OF THE REPRESENTATION DATED 13.11.2015 SUBMITTED BY THE PETITIONER BEFORE THE FIRST RESPONDENT

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.35154 of 2015

.....
Dated this the 20th day of November, 2015

J U D G M E N T

The petitioner has approached this Court through the present writ petition aggrieved by the steps taken by the respondent bank for recovery of the defaulted loan amounts. When the matter came up for admission, it was noticed that, the petitioner had already approached this Court on an earlier occasion through W.P.(C). No.30701 of 2014, which was disposed by Ext.P1 judgment granting the petitioner the facility for discharging the liability due to the respondent bank in instalments. It is not in dispute that the petitioner did not comply with the directions of this Court in Ext.P1 judgment. Under the said circumstances, I am of the view that, the petitioner cannot aspire for any discretionary relief from this Court in these proceedings under Article 226 of the Constitution of India, in the present writ petition.

Resultantly, the writ petition fails and is accordingly dismissed.

A.K.JAYASANKARAN NAMBIAR
JUDGE

