

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 23RD DAY OF FEBRUARY 2015/4TH PHALGUNA, 1936

WP(C).No. 35447 of 2014 (E)

PETITIONER(S) :

**SARADA N.K, AGED 62 YEARS,
W/O.PURUSHOTHAMAN, KOCHUPUTHENPURAYIL KIZHAKKETHIL,
KARUVATTA NORTH , KARUVATTA P.O, ALAPPUZHA.**

BY ADV. SRI.R.KISHORE

RESPONDENT(S) :

- 1. STATE BANK OF TRAVANCORE,
REGION IV: REGIONAL OFFICE MAVELIKKARA, PADMA BHAVAN
BUILDINGS, 1ST FLOOR, OPP.KSRTC BUS STAND,
MAVELIKKARA P.O- 690 101, ALAPPUZHA DISTRICT, KERALA,
REPRESENTED BY ITS CHIEF MANAGER,
SBT, REGIONAL OFFICE, MAVELIKKARA BRANCH.**
- 2. CHIEF MANAGER(AUTHORISED OFFICER),
SBT, REGIONAL OFFICE, MAVELIKKARA,
PADMA BHAVAN BUILDINGS, 1ST FLOOR, OPP.KSRTC BUS STAND,
MAVELIKKARA P.O- 690 101, ALAPPUZHA DISTRICT, KERALA.**
- 3. UDAYAKUMAR.P, AGED 37 YEARS,
S/O.PURUSHOTHAMAN, KOCHUPUTHENPURAYIL KIZHAKKETHIL,
KARUVATTA NORTH, KARUVATTA P.O, ALAPPUZHA- 690 517.**

R1 & R2 BY ADV. SRI.R.S.KALKURA, S.C

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 23-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.35447 of 2014

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Dated this the 23rd day of February, 2015

J U D G M E N T

Counsel for the petitioner seeks to withdraw the writ petition without prejudice to her right to approach the Debt Recovery Tribunal, against the action proposed by the respondent bank for sale of the property belonging to her son who is the borrower. Permission is granted. Writ petition is dismissed as withdrawn without prejudice to the right of the petitioner to move the Debt Recovery Tribunal through appropriate proceedings challenging the action of the respondent bank in putting the property for sale. I make it clear that, if the petitioner files a petition before the Debt Recovery Tribunal within 10 days from today, then the Debt Recovery Tribunal shall consider the petition filed by the petitioner on merits, including on the aspect of maintainability of the petition.

**A.K.JAYASANKARAN NAMBIAR
JUDGE**

