

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

THURSDAY, THE 26TH DAY OF NOVEMBER 2015/5TH AGRAHAYANA, 1937

WP(C).No. 35863 of 2015 (G)

PETITIONER(S):

**SHAJAHAN ABDUL AZEEZ,
SHANAVAS MANZIL, KURAMPALA VILLAGE, ADOOR,
PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.R.MURALEEKRISHNAN

RESPONDENT(S):

- 1. AUTHORISED OFFICER,
STATE BANK OF TRAVANCORE, PANDALAM,
PATHANAMTHITTA DISTRICT-689501.**
- 2. STATE BANK OF TRAVANCORE,
PANDALAM BRANCH, RUBY BUILDINGS,
M.C.ROAD, PANDALAM P.O, PATHANAMTHITTA DISTRICT-689501,
REPRESENTED BY MANAGER.**

BY SRI.R.S.KALKURA, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 26-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S) EXHIBITS

**EXHIBIT P1: COPIES OF THE TEST REPORT DATED 10/7/13 AND 26/3/13 ISSUED BY
SIR GANGA RAM HOSPITAL, NEW DELHI**

**EXHIBIT P2: COPY OF THE POSSESSION CERTIFICATE DATED 17/3/14 ISSUED BY
THE RESPONDENT**

EXHIBIT P3: COPIE OF THE PAY IN SLIPS ISSUED TO THE PETITIONER

EXHIBIT P4: COPY OF THE SALE NOTICE DATED 20/10/15

EXHIBIT P5: COPY OF THE VALUATION CERTIFICATE

RESPONDENTS' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C).No.35863 of 2015
.....

Dated this the 26th day of November, 2015

J U D G M E N T

The petitioner, who is aggrieved by the recovery steps initiated by the respondent bank, for recovery of defaulted loan amounts, had already approached this Court on two earlier occasions when similar proceedings were initiated by the respondent bank against him for recovery of defaulted loan amounts. On the said occasions, this Court had granted the petitioner the facility of repayment of the defaulted loan amounts in instalments. It is not in dispute that the petitioner did not comply with the said directions in the judgment of this Court. 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**

