

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

WEDNESDAY, THE 2ND DAY OF DECEMBER 2015/11TH AGRAHAYANA, 1937

WP(C).No. 36504 of 2015 (K)

PETITIONER(S):

1. P.V.JOSE, S/O.VARGHESE,
PULIKOTTIL HOUSE, VYLATHOOR,
NAMANGAT P.O. TRISSUR, PIN - 679 563.
2. MRS.LUCY JOSE, W/O.P.V.JOSE,
PULIKOTTIL HOUSE, VYLATHOOR,
NAMANGAT P.O. TRISSUR, PIN - 679 563.

BY ADV. SRI.P.H.M BASHEER

RESPONDENT(S):

1. THE AUTHORISED OFFICER, FEDERAL BANK LIMITED,
KUNNAMKULAM BRANCH, VADAKKANCHERRY ROAD,
TRICHUR DISTRICT, PIN - 678 683.
2. THE DISTRICT COLLECTOR, TRICHUR DISTRICT,
PIN - 680 009.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
02-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

WP(C).No. 36504 of 2015 (K)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1: TRUE COPY OF INTERIM ORDER OF KERALA HIGH COURT DTD.21.12.2009 IN
WP(C) NO.34113/2008 H.**

EXT.P2: TRUE COPY OF ORDER DTD.24.2.2012 IN IA.NO.622/12 IN SA.NO.191/12.

EXT.P3: TRUE COPY OF THE SALE NOTICE OF THE 1ST RESPONDENT DTD.19.8.2015.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C).NO.36504 OF 2015 (K)

Dated this the 2nd day of December, 2015

J U D G M E N T

The grievance of the petitioners in the writ petition is against the steps initiated by the respondent bank for recovery of defaulted loan amounts. When the matter was taken up for admission, it was noticed that the petitioners had already approached this Court through W.P.(C).No.28392/2015 when faced with recovery steps initiated by the respondent bank. It is stated that the said writ petition was disposed by this Court granting the petitioners the facility of payment of the defaulted loan amounts in installments. It is not in dispute that the petitioners did not comply with the direction of this Court in the judgment in W.P.(C).No.28392/2015. Taking note of the said fact, I am of the view that the petitioners cannot aspire for any discretionary relief from this Court in these proceedings under Article 226 of the Constitution of India. Resultantly, the writ petition fails, and is accordingly dismissed.

A.K.JAYASANKARAN NAMBIAR
JUDGE

prp/2/12/15