

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

FRIDAY, THE 4TH DAY OF DECEMBER 2015/13TH AGRAHAYANA, 1937

WP(C).No. 36719 of 2015 (L)

PETITIONER :

**CHRISTO V.V.,
S/O.VERGHESE V.G.,
VARACHERIL HOUSE,
KADAMBALLUR P.O.,
KASARAGOD DIST.**

**BY ADVS.SRI.T.B.SHAJIMON
SMT.GOVINDU P. RENUKADEVI**

RESPONDENT(S) :

**1. THE MANAGER
K.S.F.E. LTD., CHERUVATHUR BRANCH,
KASARAGOD DT. - 670 307.**

**2. THE SPL. DEPUTY THASILDAR (RR)
KASARAGOD.**

**BY ADVS. SRI.ALEXANDER C.V., SC. KSFE
SRI.JIMMY GEORGE THADATHIL, SC**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 04-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 36719 of 2015 (L)

APPENDIX

PETITIONERS' EXHIBITS :

EXT. P1: THE PHOTOSTAT COPY OF THE DEMAND NOTICE UNDER SECTION 7.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C) No.36719 of 2015

Dated this the 4th day of December 2015

JUDGMENT

The petitioner, who is faced with revenue recovery proceedings for recovery of defaulted loan amounts, seeks only the grant of instalment to discharge the liability. Ext.P1 is the demand notice, which shows that the liability of the petitioner, as on today is an amount of Rs.5,00,000/-, together with accrued interest and other charges.

2. I have heard the learned counsel for the petitioner, learned standing counsel for the 1st respondent and the learned Government Pleader for the 2nd respondent.

3. On a consideration of the facts and circumstances of the case and the submissions made across the Bar and taking note of the plea of financial hardship raised by the petitioner, I dispose the writ petition, with the following directions:-

(i) If the petitioner pays the amount demanded in Ext.P1 demand notice, in ten equal and

successive monthly installments, commencing from 10.01.2016, then the recovery steps initiated against him by the respondents shall be kept in abeyance.

(ii) It is made clear that if the petitioner commits a default in respect of any of the installments, he will lose the benefit of this judgment and the respondents will be free to continue the recovery proceedings against him from the stage at which they presently stand.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

sm/