

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 21ST DAY OF DECEMBER 2015/30TH AGRAHAYANA, 1937

WP(C).No. 38628 of 2015 (C)

PETITIONER :

**BINDU.R.G., AGED 44 YEARS, W/O. JAYAKUMAR,
KALLIDANTHIVADAKKATHIL, PALACE NAGAR 54,
THEVALLY P.O., KOLLAM DISTRICT**

BY ADV. SMT.T.SUJA

RESPONDENTS :

- 1. KERALA STATE FINANCIAL ENTERPRISES LTD.,
REP. BY BRANCH MANAGER, ANANDAVALLESWARAM
BRANCH - 691001, KOLLAM**
- 2. THE DEPUTY TAHASILDAR (RR) OFFICE K.S.F/E, LTD.,
CHINNAKKADA, KOLLAM - 691001.**

**R1 & R2 BY ADV. SRI.V.N.SASIDHARAN., SC, KSFE.
BY SRI.ALEXANDER.C.V., SC,**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 21-12-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

WP(C).No. 38628 of 2015 (C)

APPENDIX

PETITIONER'S EXHIBITS :

- P1: COPY OF THE LETTER ISSUED BY THE R1 DT 17/11/2015.
- P2: COPY F THE RECEIPT ISSUED FROM THE R2 DT 8/10/2015.
- P3: COPY OF THE NOTICE ISSUED BY THE R2 HAVING NO. SDT/KLM/10689/14-15
DT 26/9/2014.
- P4: COPY OF THE NOTICE ISSUED BY THE R2 HAVING NO.SDT/KLM/10689. 14-15
DT 27/5/2015.

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

K.VINOD CHANDRAN, J

W.P.(C).No. 38628 of 2015

Dated this the 21st day of December, 2015

J U D G M E N T

The petitioner was a guarantor of one Sheena who was the subscriber of a chitty with the 1st respondent KSFE. Since the said Sheena committed default in repaying the Chitty which was prized to her, the respondent KSFE has initiated Revenue Recovery proceedings, in the context of there being nonpayment of the chitty amounts.

2.The petitioner is aggrieved by the proceedings taken against the petitioner's property for settlement of the defaulted amounts, in the prized chitty availed.

3. Considering the confined prayer made for instalments, it is directed that the recovery proceedings shall be kept in abeyance on condition of the petitioner settling the entire dues in 12 equal monthly instalments. First instalment

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shall be paid on or before 18.01.2016 and the balance instalments shall be paid on the 18th of the succeeding months. On the satisfaction of the dues as per the statement, the KSFE shall give a statement of the future interest from 31.12.2015 and the same shall be settled as the 13th instalment. The recovery proceedings shall stand closed on the satisfaction of the entire arrears. If two consecutive defaults are committed during the instalment period granted by this Court, the KSFE shall proceed with the recovery proceedings initiated.

The writ petition stands disposed of as above. No costs.

Sd/-
K.VINOD CHANDRAN,
Judge

jma //true copy//

P.A to Judge