2025:KER:31570

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

WP(C) NO. 14436 OF 2025

PETITIONER:

RAMESAN C.M
AGED 65 YEARS, LAKSHMI, CHUNGAM, NEAR
NIDUNGOTTAMKAVU, ERANHOLY P.O, THALASSERY,
KANNUR, PIN – 670 107.

BY ADVS.
R.MURALEEKRISHNAN
V.M.RIYAS

RESPONDENTS:

1 CHIEF MANAGER, STATE BANK OF INDIA
VANGARATH TOWER, PALARIVATTOM,
ERNAKULAM, PIN – 682 025.

2 ASSISTANT GENERAL MANAGER SMECCC
VANGARATH TOWER, PALARIVATTOM,
ERNAKULAM, PIN – 682 025.

3 MANAGER STATE BANK OF INDIA, CEPZ BRANCH
SEAPORT - AIRPORT ROAD,KAKKANAD,
PIN – 682 037.

4 SUBEESH RAMESH
M/S. SYGUL TECHNOLOGIES PVT LTD,
LAKSHMI, ERANHOLY.P.O, THALASSERY,
KANNUR, PIN – 670 107.

5 ERANHOLY VILLAGE OFFICER
THALASSERY THALUK, KANNUR, PIN – 670 107.

SRI. JITHESH MENON - SC
SMT.. MABLE C.KURIAN – SR. GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The petitioner's son is the Director of M/s. Sygul Technologies Pvt. Ltd. The said Company availed four loans from the State Bank of India, CEPZ Branch. The petitioner was the sole guarantor and his property was mortgaged with the Bank for availing the said loan. There was default in payment of installments and the Bank initiated revenue recovery proceedings. Exts.P2 and P3 are the revenue recovery demand notices issued under Sections 7 and 34 of the Kerala Revenue Recovery Act, 1968, respectively. Challenging Exts.P2 and P3, the petitioner has filed this writ petition. The petitioner has also sought for a direction to the Bank to permit him

to pay the loan amount in twelve equal monthly installments.

2. Sri.Jayesh Mohan, the learned Standing Counsel for the Bank, on instructions, submits that, an amount of Rs.21,25,536/- is outstanding against the petitioner's son and the petitioner can be permitted to pay the said amount in reasonable installments.

3. The learned counsel for the petitioner submits that the petitioner may be permitted to pay the outstanding amount in ten equal monthly installments.

4. In the facts and circumstances of the case, there will be a direction to the petitioner to pay the outstanding amount of Rs.21,25,536/- in ten equal monthly installments commencing from 15.05.2025 along with accrued interest and

applicable charges. If the petitioner defaults payment of any of the installments, it will be open to the Bank to proceed against him for recovery of the amount, in accordance with law. To enable the petitioner to repay the amount in installments as above, all coercive proceedings against him pursuant to Exts.P2 and P3 shall stand deferred.

The writ petition is disposed of.

Sd/-

MURALI PURUSHOTHAMAN
JUDGE

SPR

APPENDIX

PETITIONER'S EXHIBITS:-

EXHIBIT P1	TRUE COPY OF FORMAT OF COMPROMISE OFFER LETTER DATED 15.11.2024.
EXHIBIT P2	TRUE COPY OF THE DEMAND NOTICE DATED 04.10.2024 ISSUED U/S 7 OF KERALA REVENUE RECOVERY ACT, 1968.
EXHIBIT P3	TRUE COPY OF THE DEMAND NOTICE DATED 04.10.2024 ISSUED U/S 34 OF KERALA REVENUE RECOVERY ACT, 1968.
EXHIBIT P4	TRUE COPY OF THE REPRESENTATION DATED 17-02-2025 SUBMITTED BY THE PETITIONER.

RESPONDENTS EXHIBITS: NIL.