

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF OCTOBER 2022 / 4TH KARTHIKA, 1944

WP(C) NO. 25141 OF 2022

PETITIONER:

R.BINDU
AGED 36 YEARS
D/O RETNAVATI,
PRA-25(D), PURAVOORKONAM, VAZHAYILA,
KARAKULAM.P.O. THIRUVANANTHAPURAM-695564.

BY ADVS.
L.MOHANAN
LIGEY ANTONY

RESPONDENTS:

- 1 STATE BANK OF INDIA
REPRESENTED BY ITS CHIEF MANAGER
STRESSED ASSETS RECOVERY BRANCH FIRST FLOOR, SANGAMAM,
GENERAL HOSPITAL ROAD, THIRUVANANTHAPURAM-695001.
- 2 ASSISTANT GENERAL MANAGER,
STATE BANK OF INDIA, STRESSED ASSETS RECOVERY BRANCH,
CHILD WELFARE COMPLEX, LMS
COMPOUND, THIRUVANANTHAPURAM-695033
- 3 AUTHORIZED OFFICER,
STATE BANK OF INDIA, STRESSED ASSETS RESOLUTION CENTRE,
LHO ANEEXED (WING 1), FIRST FLOOR CHILD WELFARE
COMPLEX, LMS COMPOUND, THIRUVANANTHAPURAM-695033.
- 4 STATE BANK OF INDIA
KESAVADASAPURAM BRANCH REPRESENTED
BY ITS MANAGER -695004,

BY ADV TOM K.THOMAS

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
26.10.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

T.R. RAVI, J.

W.P.(C).No.25141 of 2022

Dated this the 26th day of October, 2022

JUDGMENT

The prayer in the writ petition is for a direction to the respondents to register Ext.P1 sale certificate in the name of the legal representatives of the auction purchaser who is no more and to deliver physical possession of the property and to hand over the original title deeds. The 1st respondent has filed a counter affidavit admitting the fact that the successful bidder was the father of the petitioner. It is also stated that necessary documents have been handed over to the auction purchaser even before the sale. It is further stated that the Bank has informed Sub Registrar Office, Sasthamangalam not to create any encumbrance over the property and that the property is already sold to Sri. Mohanan C., the deceased father of the petitioner. It is also stated that there is no impediment in registering the sale deed in favour of the petitioner subject to production of the requisite documents to prove that she is the legal heir of late Sri.Mohanan C. and she is entitled to get the sale deed registered in her favour. The petitioner, it is stated, may submit the legal heirship certificate for the purpose of speeding up

with the registration process.

In view of the specific stand taken by the 1st respondent, the writ petition is disposed of directing the petitioner to provide the necessary documents to show the details of the legal heirs who are to get the sale certificate registered in their names to the 1st respondent and the 1st respondent shall thereupon initiate steps for completing the registration of sale certificate. Necessary action shall be taken by the 1st respondent within three weeks from the date of receipt of details from the petitioner.

Sd/-
T . R . RAVI
JUDGE

APPENDIX OF WP(C) 25141/2022

PETITIONER EXHIBITS

Exhibit P1	COPY OF SALE CERTIFICATE DATED 17.09.2010
Exhibit P2	COPY OF REPLY NOTICE DATED 24.06.2011 BY 2ND RESPONDENT.
Exhibit P3	COPY OF THE APPLICATION UNDER RIGHT TO INFORMATION ACT DATED 28.12.2017.
Exhibit P4	COPY OF LETTER OF THE CPIO AGM DATED 28.01.2018
Exhibit P5	COPY OF LETTER OF THE CHIEF MANAGER DATED 3.02.2018
Exhibit P6	COPY OF THE LETTER OF THE CHIEF MANAGER DATED 03.03.2018
Exhibit P7	COPY OF THE NOTICE DATED 16.02.2021 BY THE PETITIONER
Exhibit P8	COPY OF THE LETTER DATED 10.03.2022
Exhibit P9	COPY OF THE HEIR SHIP CERTIFICATE DATED 30.06.2021
Exhibit P10	COPY OF THE RELEVANT PAGES OF BASIC TAX REGISTER