

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN**

**THURSDAY, THE 28TH DAY OF SEPTEMBER 2017/6TH ASWINA, 1939**

**WP(C).No. 31308 of 2017 (K)**  
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**PETITIONER:**  
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**P.S.RAMACHANDRAN  
AGED 63 YEARS, S/O.SHEKHARAN,  
PINDIPARAMBIL HOUSE,  
KURUMASSERY, ALUVA,  
ERNAKULAM DISTRICT.**

**BY ADVS.SRI.R.SURAJ KUMAR  
SRI.S.NAUSHAD  
SRI.SUNIL J.CHAKKALACKAL  
SMT.V.DEEPA  
SMT.N.G.SINDHU**

**RESPONDENT(S)/RESPONDENTS:**  
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- 1. STATE OF KERALA  
REPRESENTED BY THE SECRETARY TO GOVERNMENT OF KERALA,  
DEPARTMENT OF REVENUE, GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM, PIN 695001**
- 2. THE KERALA STATE HOUSING BOARD,  
REPRESENTED BY ITS MANAGING DIRECTOR,  
HEAD OFFICE, THIRUVANANTHAPURAM-**
- 3. THE ASSISTANT SECRETARY  
DIVISION-II,  
KERALA STATE HOUSING BOARD,  
PANAMPILLY NAGAR, KOCHI-34.**

**R BY GOVERNMENT PLEADER  
R3 BY SRI.K.DENNY DEVASSY, SC, K.S.H.B.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 28-09-2017, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:**

**sdr/-**

**WP(C).No. 31308 of 2017 (K)**  
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**APPENDIX**  
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**PETITIONER(S)' EXHIBITS**  
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**EXHIBIT P1    TRUE COPY OF SANCTION LETTER DTD 25/1/1992**

**EXHIBIT P2(A) TRUE COPY OF RECEIPT DTD 6/4/1993**

**EXHIBIT P2(B) TRUE COPY OF RECEIPT DTD 10/5/1993**

**EXHIBIT P2(C) TRUE COPY OF RECEIPT DTD 21/2/2017**

**EXHIBIT P2(D) TRUE COPY OF RECEIPT DTD 21/7/2011**

**EXHIBIT P3    TRUE COPY OF THE NOTICE DTD 5/4/2017**

**EXHIBIT P4    TRUE COPY OF THE NOTICE DTD 26/8/2017**

**EXHIBIT P5    TRUE COPY OF THE NOTICE OF SALE DTD NIL**

**EXHIBIT P6    TRUE COPY OF THE REPRESENTATION DTD 23/9/2017**

**RESPONDENT(S)' EXHIBITS                      NIL**  
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**/TRUE COPY/**

**PA TO JUDGE**

**sdr/-**

**K. VINOD CHANDRAN, J.**

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**W.P(C). No.31308 of 2017 [K]**  
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**Dated this the 28<sup>th</sup> day of September, 2017**

**JUDGMENT**

The petitioner is aggrieved with the sale posted on 04.10.2017, which is said to be now adjourned to 24.10.2017. The petitioner contends that the petitioner was issued with a one-time settlement as evidenced from Ext.P3. The petitioner was not able to satisfy the amounts within the time stipulated. Now the petitioner's relatives have come forward to help him and he would be able to pay off the amounts, is the contention raised.

2. The learned counsel appearing for the respondent would contend that no such extension can be granted, since when the Government frames a Scheme, and there can be no relaxation in the time

stipulated for satisfaction of the one-time settlement. It is also submitted that the loan was availed in the year 1993 and only an amount of Rs.45,600/- was paid. Due to continuous default many a time the respondents had attempted recovery proceedings, when the petitioner approaches some authority and obtains a stay order.

3. Considering the fact that the one-time settlement is to be effectuated within a specific date, this Court is unable to grant any extension of time from that as stipulated in Ext.P3. The petitioner hence would have to pay the entire amounts due.

4. In such circumstances, the following directions are issued:

(i) As is seen from Ext.P5, there is a total outstanding amount of Rs.13,07,840/-. If the petitioner pays 30% of the amounts on or before 23.10.2017, the sale shall stand adjourned.

(ii) The petitioner shall be granted ten instalments to satisfy the balance amount starting from 23.11.2017 and continued on the 23<sup>rd</sup> of every succeeding month with the accrued interest in every three months.

(iii) Recovery shall be stayed on the installments being regularly paid and on two defaults, it shall be resumed.

The writ petition would stand disposed of.

Sd/-

**K. VINOD CHANDRAN,  
JUDGE.**

//True Copy//

P.A. to Judge

sp/28/09/17