

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

FRIDAY, THE 28<sup>TH</sup> DAY OF APRIL 2023 / 8TH VAISAKHA, 1945

WP(C) NO. 14058 OF 2023

PETITIONER/S:

- 1 M/S WORD MART TECHNOLOGIES  
REPRESENTED BY ITS DIRECTOR  
D NO. 65/4367, VATTOLY LANE,  
SRM ROAD ERNAKULAM VILLAGE,  
KANAYANNUR TALUK, ERNAKULAM - 682018
  - 2 MICHAEL MATHEW  
AGED 32 YEARS  
DIRECTOR, M/S. WORD MART TECHNOLOGIES,  
S/O. MATHEW T.J, THONDAMPALLILHOUSE,  
AMALLOOR, ELANAD VILLAGE. THALAPPILLY TALUK,  
THRISSUR DISTRICT, PIN - 680586
  - 3 KHALID V.K  
AGED 48 YEARS  
DIRECTOR, M/S. WORD MART TECHNOLOGIES,  
VAKYAPADAM HOUSE, KIZHAKKUMURI, ELANAD VILLAGE,  
THALAPPILLY TALUK ELANAD, PIN - 680586
- BY ADVS.  
ADOLPHIN MAMACHAN  
CHRISTABEL D AVRUVU

RESPONDENT/S:

- 1 STATE BANK OF INDIA  
STATE BANK OF INDIA,  
SME CITY CREDIT CENTRE,  
ALINCHUVADU, KERALA.  
REPRESENTED BY ITS AUTHORISED OFFICER
- 2 AUTHORISED OFFICER  
SME CITY CREDIT CENTRE ERNAKULAM,  
KERALA., PIN - 682025

3 LIJO JOSE (AGE UNKNOWN)  
DEPUTY TAHSILDAR  
THALAPPILLY TALUK OFFICE, WADAKKANCHERY,  
THRISSUR DISTRICT, PIN - 680623

SRI.MAHESH KUMAR ,SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 28.04.2023, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

## **JUDGMENT**

The petitioners availed a loan from the 1<sup>st</sup> respondent Bank. Since the petitioners defaulted the payment of installments, the bank took steps to recover the amount by initiating recovery proceedings under the Revenue Recovery Act. Exhibit P1 is the Revenue Recovery Demand Notice issued under Section 34 of the Revenue Recovery Act. The petitioner has approached this Court seeking for a direction to the respondents to permit the petitioner to pay the outstanding loan amount in installments and to stay Ext. P1 revenue recovery proceedings.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for respondents 1 and 2.

3. Having regard to the direction I propose to issue, notice to the 3<sup>rd</sup> respondent is dispensed with.

4. The learned counsel appearing for respondents 1 and 2 submits that an amount of Rs. 7,74,860/- is outstanding in the loan account and the Bank is willing to settle the amount if the petitioner pays the said amount in ten equated installments.

5. There will be a direction to the petitioner to pay the amount of Rs.7,74,860/- in ten equated monthly installments commencing from 15.05.2023. In case the petitioner defaults the payment of any of the installments, the respondents 1 and 2 will be free to recover the entire amount from the petitioner in accordance with law.

This writ petition is disposed of.

Sd/-

**MURALI PURUSHOTHAMAN**  
**JUDGE**

avs

**APPENDIX OF WP(C) 14058/2023**

**PETITIONER EXHIBITS**

Exhibit P1	TRUE COPY OF THE REVENUE RECOVERY NOTICE ISSUED BY THE 2ND RESPONDENT DATED 04-01- 2023
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