
(2023) 02 KL CK 0286

In the High Court Of Kerala

Case No : Writ Petition (C) No. 39393 Of 2022

P.G.Mohanan

APPELLANT

Vs

Kerala State Financial Enterprises

RESPONDENT

Date of Decision : 27-02-2023

Acts Referred:

Citation : (2023) 02 KL CK 0286

Hon'ble Judges : Shaji P.Chaly, J

Bench : Single Bench

Advocate : K.P.Santhi, M.C.Bindumol, Tara Prem, P.C.Anil Kumar, P.C.Anilkumar

Final Decision : Disposed Of

Judgement

Shaji P.Chaly, J

1. This writ petition is filed by the petitioner, who has availed four priced chitties conducted by the Kerala State Financial Enterprises Limited. Admittedly, repayment was defaulted consequent to which KSFE has issued demand notices to the petitioner; apprehending coercive action by resorting to the provisions of the Kerala Revenue Recovery Act, 1968, the writ petition is filed.

2. Even though various contentions are raised in the writ petition, Learned counsel for the petitioner submitted that it would suffice, if the petitioner is permitted to pay the outstanding overdue amount in the chitties in ten equated monthly instalments.

3. On instructions, learned Standing counsel submitted that as on today an amount of Rs.5,42,298/- is remaining overdue from the petitioner towards the four chitties. It is also submitted that, there is no objection to the KSFE Ltd., in the petitioner remitting the amounts in ten equated monthly instalments.

Therefore, after having heard the learned counsel for the petitioner, Smt.K.P Santhi, and learned Standing Counsel, Sri.P.C.Anilkumar and perusing the pleadings and material on record; the writ petition is disposed of granting liberty

to the petitioner to pay the outstanding amount in ten equated monthly instalments along with the current instalments, starting from 10.03.2023 and on the corresponding date of the succeeding months. However, I make it clear that, if any of the instalment is defaulted by the petitioner, the KSFE Ltd., will be at liberty to proceed in accordance with law and recover the amount in lump.