

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE S.V.BHATTI

MONDAY, THE 02ND DAY OF DECEMBER 2019 / 11TH AGRAHAYANA, 1941

WP(C).No.31383 OF 2019(W)

PETITIONER/S:

P.G.MOHAMMED,
AGED 50 YEARS
S/O.ABDUL KHADER, PADYATH MANAPPAT HOUSE, EDAVILANGU
P.O., KODUNGALLOOR, TRISSUR.

BY ADV. SMT.MUMTAZ SHAMSUDDIN

RESPONDENT/S:

CATHOLIC SYRIAN BANK,
REP. BY THE AUTHORIZED OFFICER, CATHOLIC SYRIAN BANK,
ERNAKULAM ZONAL OFFICE, 1ST FLOOR, DJM BUILDING, PB
NO.1154 MARKET ROAD, ERNAKULAM - 682 031.

R1 BY ADV. SRI.K.ANAND

OTHER PRESENT:

DHANYA FOR PETITIONER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
02.12.2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 2nd day of December 2019

**The petitioner prays for the following
reliefs.**

i)"Issue a writ of mandamus giving direction to the respondents to pass orders on Ext.P3 and to regularize the loan account on providing permission to pay the overdue amount installments.

ii)Pass such other orders which are incidental and proper in the interest of justice."

2. **The respondent Bank filed a statement and opposes the writ prayer in all fours. After taking note of the objections raised in the counter affidavit, the Court is of the view that as and when the cause of action arises the petitioner can move the Debts Recovery Tribunal in accordance with law. The Writ petition is dismissed by the above observations.**

Sd/-

S.V.BHATTI

JUDGE

RMV

APPENDIX

PETITIONER'S/S EXHIBITS:

- | | |
|-------------------|--|
| EXHIBIT P1 | TRUE COPY OF POSSESSION NOTICE DATED 19/09/2019. |
| EXHIBIT P2 | TRUE COPY OF THE NOTICE ISSUED BY THE ADVOCATE COMMISSIONER IN CMP NO.120/2019 OF CJM COURT, TRISSUR. |
| EXHIBIT P3 | TRUE COPY OF THE REQUEST LETTER DATED 12/11/2019 ISSUED BY THE PETITIONER TO THE RESPONDENT. |