



2025:KER:11237

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH P.

TUESDAY, THE 11TH DAY OF FEBRUARY 2025 / 22ND MAGHA, 1946

WP(C) NO. 3754 OF 2025

PETITIONER:

SOMAN NAIR K.,
AGED 63 YEARS,
THEKKEKUNNU BUNGLOW, KOVALAM P.O., THIRUVANANTHAPURAM,
PIN - 695527.

BY ADVS.
GODWIN JOSEPH
VINOD.R

RESPONDENTS:

- 1 THE KERALA STATE CO-OPERATIVE BANK LTD.,
PB NO. 6515, COBANK TOWERS, PALAYAM,
THIRUVANANTHAPURAM, PIN - 695033.
- 2 AUTHORIZED OFFICER,
THE KERALA STATE CO-OPERATIVE BANK, REGIONAL OFFICE,
P.B. NO. 5122, EAST FORT, EAST FORT P.O.,
THIRUVANANTHAPURAM, PIN - 695023.
- 3 THE BRANCH MANAGER,
THE KERALA STATE CO-OPERATIVE BANK, KOVALAM BRANCH,
VP 20, IDEAL HOLIDAY INN, KOVALAM, THIRUVANANTHAPURAM,
PIN - 695527.

BY ADV THOMAS ABRAHAM, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
11.02.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**JUDGMENT**

This is the 4th writ petition at the instance of the petitioner challenging the proceedings initiated by the respondent Bank under the provisions of the SARFAESI Act to recover amounts due under credit facilities availed by the petitioner from the respondent Bank. The writ petitions earlier filed by the petitioner are W.P(C)Nos.24301/2016, 17058/2019 and 9879/2023. The petitioner has not even disclosed the filing of the earlier writ petitions before this Court.

2. The learned counsel for the respondent Bank submits that the petitioner has now submitted a proposal for One Time Settlement and the same is being considered by the competent authority.

3. Having heard the learned counsel for the petitioner and the learned counsel appearing for the respondent Bank, I am of the view that in the facts and circumstances noticed above, the petitioner is guilty of suppression of material facts and is not entitled to any relief from this Court.

The writ petition fails and it is accordingly dismissed,



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making it clear that this will not prejudice the petitioner from availing the benefit of any One Time Settlement that may be offered to him by the respondent Bank.

Sd/-
GOPINATH P.
JUDGE

DK



APPENDIX OF WP(C) 3754/2025

PETITIONER EXHIBITS

Exhibit P1

**A TRUE COPY OF THE SALE NOTICE NO.
KSCB/RO.TVM/CCMR/132/2024-25 DATED
30.12.2024 ISSUED BY THE 2ND RESPONDENT**