

Joseph Antony vs State of Kerala

Joseph Antony vs State of Kerala

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Court : Kerala Orders

Decided On : Aug-24-2023

Judge : Honourable Mr. Justice P.V.Kunhikrishnan

Appeal No. : WP(C)/3290/2023

Appellant : Joseph Antony

Respondent : State of Kerala

Judgement :

W.P.(C.) Nos. 3113 & 3290 of 2023 1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN
THURSDAY, THE 24TH DAY OF AUGUST 2023 / 2ND BHADRA, 1945
WP(C) NO. 3113 OF 2023 AGAINST THE ORDER/JUDGMENT OA
680/2022 OF DEBT RECOVERY TRIBUNAL, ERNAKULAM

PETITIONER/S: JOSEPH ANTONY AGED 70 YEARSS/O LATE
ANTONY, CHATHANATTU HOUSE, ANAKKARA VILLAGE,
UDUMBANCHOLA TALUK, IDUKKI DISTRICT, PIN - 685512 BY ADVS.
VARGHESE C.KURIAKOSE AMRITHA.J RESPONDENT/S: 1 STATE
OF KERALA REPRESENTED BY SECRETARY, DEPARTMENT OF

REVENUE SECRETARIAT, TRIVANDRUM, PIN - 695001 2 THE LAND REVENUE COMMISSIONERSTATE OF KERALA, PUBLIC OFFICE BUILDING MUSEUM JUNCTION, THIRUVANANTHAPURAM, PIN - 695033

3 THE DISTRICT COLLECTORIDUKKI DISTRICT, CIVIL STATION, KUYILIMALA, PAINAVU, IDUKKI, PIN - 685603 4 THE DEPUTY TAHSILDAR (RR)UDUMBANCHOLA TALUK, UDUMBANCHOLA, IDUKKI DISTRICT, PIN - 685554 5 THE VILLAGE OFFICERANAKKARA VILLAGE, ANAKKARA P.O, IDUKKI DISTRICT, PIN - 685512 6 UNION BANK OF INDIAANAKKARA BRANCH, ANAKKARA P.O, IDUKKI DISTRICT REPRESENTED BY AUTHORISED OFFICER, PIN - 685512

OTHER PRESENT: SMT. VIDYA KURIAKOSE, GP THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24.08.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: W.P.(C.) Nos. 3113 & 3290 of 2023
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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN THURSDAY, THE 24TH DAY OF AUGUST 2023 / 2ND BHADRA, 1945 WP(C) NO. 3290 OF 2023 AGAINST THE ORDER/JUDGMENT OA 680/2022 OF DEBT RECOVERY TRIBUNAL, ERNAKULAM

PETITIONER/S: JOSEPH ANTONYAGED 70 YEARSS/O LATE ANTONY, CHATHANATT HOUSE, ANAKKARA, UDUMBANCHOLA TALUK IDUKKI DISTRICT, PIN - 685512 BY ADVS. VARGHESE C.KURIAKOSE ALBIN A. JOSEPH RESPONDENT/S: 1 STATE OF KERALAREPRESENTED BY SECRETARY DEPARTMENT OF REVENUE SECRETARIAT TRIVANDRUM, PIN - 695001 2 THE LAND REVENUE COMMISSIONERSTATE OF KERALA, PUBLIC OFFICE BUILDING MUSEUM JUNCTION, THIRUVANANTHAPURAM, PIN - 695033

3 THE DISTRICT COLLECTOR IDUKKI DISTRICT, CIVIL STATION,
KUYILIMALA, PAINAVU, IDUKKI, PIN - 685603 4 THE DEPUTY TAHSILDAR
(RR) UDUMBANCHOLA TALUK, UDUMBANCHOLA, NEDUMKANDAM, IDUKKI,
PIN - 685553 5 THE VILLAGE OFFICER ANAKKARA VILLAGE, ANAKKARA,
THRITHALA-KUMBIDI RD, KUMBIDI, IDUKKI DISTRICT, PIN - 67955 6 UNION
BANK OF INDIA ANAKKARA BRANCH, ANAKKARA, IDUKKI DISTRICT, PIN -
679553 THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
24.08.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:
W.P.(C.) Nos. 3113 & 3290 of 2023 3 P.V.KUNHIKRISHNAN, J
----- W.P.(C.) Nos. 3113 & 3290 of 2023
----- Dated this the 24th day of August, 2023

JUDGMENT

The counsel for the petitioner submitted that the petitioner may be allowed to withdraw the writ petitions. Therefore, these writ petitions are dismissed as withdrawn. sd/- P.V.KUNHIKRISHNAN JUDGE SKS W.P.(C.) Nos. 3113 & 3290 of 2023 4 APPENDIX OF WP(C) 3113/2023 PETITIONER EXHIBITS Exhibit P1 TRUE DOWNLOADED COPY OF THE DEMAND NOTICE UNDER SECTION 13(2) OF THE SARFAESI ACT ISSUED BY THE 6TH RESPONDENT DATED 05.07.2021 Exhibit P2 TRUE DOWNLOADED COPY OF THE POSSESSION NOTICE DATED 08.11.2022 ISSUED BY THE 6TH Exhibit P3 TRUE PHOTOSTAT COPY OF THE NOTICE ISSUED IN O.A.NO.680/2022 ISSUED BY THE 6TH RESPONDENT DATED 06.12.2022 Exhibit P4 TRUE PHOTOSTAT COPY OF THE DEMAND NOTICE ISSUED UNDER SECTION 7 OF THE KERALA REVENUE RECOVERY ACT DATED 02.11.2022 Exhibit P5 TRUE PHOTOSTAT COPY OF THE DEMAND NOTICE DATED 02.11.2022 CONTEMPLATED UNDER SECTION 34 OF THE KERALA REVENUE RECOVERY ACT. Exhibit P6 TRUE PHOTOSTAT COPY OF THE APPLICATION DATED 20.01.2023 SUBMITTED BY THE PETITIONER BEFORE 2ND RESPONDENT W.P.(C.) Nos. 3113 & 3290 of 2023 5 APPENDIX OF WP(C) 3290/2023 PETITIONER EXHIBITS Exhibit P1 TRUE PHOTOSTAT COPY OF THE DEMAND NOTICE DATED 05.07.2021 UNDER SECTION 13(2) OF THE SARFAESI ACT ISSUED BY THE 6TH Exhibit P2 TRUE PHOTOSTAT COPY OF

THE POSSESSION NOTICE DATED 08.11.2022 ISSUED BY THE 6TH Exhibit
P3 TRUE PHOTOSTAT COPY OF THE NOTICE DATED 06.12.2022 ISSUED IN
O.A.NO.680/2022 ON THE FILES OF DRT ERNAKULAM Exhibit P4 TRUE
PHOTOSTAT COPY OF THE DEMAND NOTICE DATED 30.09.2022 ISSUED
UNDER SECTION 7 OF THE KERALA REVENUE RECOVERY ACT Exhibit P5
TRUE PHOTOSTAT COPY OF THE DEMAND NOTICE DATED 05.10.2023
CONTEMPLATED UNDER SECTION 34 OF THE KERALA REVENUE
RECOVERY ACT. Exhibit6 TRUE PHOTOSTAT COPY OF THE APPLICATION
DATED 20.01.2023 SUBMITTED BY THE PETITIONER BEFORE 2ND
RESPONDENT

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