

Kerala High Court

M.E.Ali vs Kerala Financial Corporation on 2 July, 2007

IN THE HIGH COURT OF KERALA AT ERNAKULAM

WP(C) No. 11567 of 2007(B)

1. M.E.ALI, AGED 60, S/O. IYYAMU,
... Petitioner

Vs

1. KERALA FINANCIAL CORPORATION,
... Respondent

2. DEPUTY TAHSILDAR (RR),

3. BRANCH MANAGER, KFC, PERUMBAVOOR.

4. STATE OF KERALA REPRESENTED BY SECRETARY

For Petitioner : SRI.R.ANILKUMAR

For Respondent : SRI.P.PARAMESWARAN NAIR, SC, KFC

The Hon'ble MR. Justice C.N.RAMACHANDRAN NAIR

Dated : 02/07/2007

O R D E R

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 11567 of 2007

Dated, this the 2nd day of July, 2007

J U D G M E N T

Heard learned counsel for the petitioner and learned Standing Counsel for the KFC. Petitioner's request is only for grant of OTS benefit. Learned Standing Counsel for the KFC submitted that even for considering OTS, petitioner has to make payment of 10% of the outstanding liability. Moreover, regular OTS scheme is not in force is his contention. Even if OTS scheme is not there, the Board of the Company is still free to grant OTS or other incentives, provided petitioner co-operates in the matter. In the circumstances, petitioner is directed to pay Rs. 4 lakhs on or before 31/07/2007 and offer time frame within which he can remit the balance liability exclusive of incentives, for the 1st respondent to grant OTS benefit. If petitioner makes application after payment and offers clearance of liability within a reasonable time, there will be direction to the 1st respondent to grant OTS benefits or at least waiver of default interest and penal interest. However, if petitioner does not make payment and apply for OTS as above, respondents can proceed for recovering entire arrears after 31/07/2007.

This WP(C) is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE) jg