



2026:KER:47887

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE P. V. BALAKRISHNAN

THURSDAY, THE 2ND DAY OF JULY 2026 / 11TH ASHADHA, 1948

OP (DRT) NO. 212 OF 2026

**AGAINST THE ORDER/JUDGMENT DATED IN SA NO.428 OF
2026 OF DEBT RECOVERY TRIBUNAL, ERNAKULAM**

PETITIONERS/APPLICANTS:

- 1 RAMLA. P.P
 AGED 55 YEARS
 W/O LATE IBRAHIMKUTTY,
 RAMLA'S HOUSE (PUTHIYAPURAYIL),
 NEAR BALANKADA CHIRAKKAL. P.O.,
 KANNUR, PIN - 670011**
- 2 SAIFUDHEEN
 AGED 39 YEARS
 S/O IBRAHIMKUTTY, RAMLA'S HOUSE
 (PUTHIYAPURAYIL), NEAR BALANKADA,
 CHIRAKKAL. P.O., KANNUR, PIN - 670011**

**BY ADVS.
SRI.V.R.GOPU
SRI.J.NARAYANA PILLAI
SMT.URMILA.M.G
SMT.NANDANA P.**

RESPONDENTS/DEFENDANTS:

- 1 THE AXIS BANK LTD
 SOUTH BAZAR KANNUR BRANCH,
 SOUTH BAZAR ROAD, KANNUR**



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REP. BY ITS MANAGER,
PIN - 670002

2 THE AUTHORIZED OFFICER
AXIS BANK LTD. LOAN CENTRE,
1ST FLOOR, LILLIS TOWER,
BEHIND ENGLISH PALLI BUS STOP,
KANNUR ROAD, CALICUT,
PIN - 673011

SRI. MADHU RADHAKRISHNAN, STANDING COUNSEL

THIS OP (DEBT RECOVERY TRIBUNAL) HAVING COME UP FOR
ADMISSION ON 02.07.2026, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



P.V. BALAKRISHNAN, J.

OP (DRT) No.212 of 2026

Dated this the 2nd day of July, 2026

JUDGMENT

This OP(DRT) is filed by the petitioners seeking the following reliefs:

“(i) Declare that the Tribunal committed jurisdictional error in refusing to consider IA No.2656/2026 on merits.

(ii) To issue a direction to the respondents not to take over the possession of the secured assets, till the DRT, Emakulam-I passes an order in IA No.2656/2026 in SA No.428/2026.”

2. Heard the learned counsel for the petitioners on admission.

3. A perusal of Ext.P8 proceedings would show that the Tribunal did not grant any interim order to the petitioners as sought for in IA No.2656/2026 and has posted the matter for further consideration on 07.07.2026. If the petitioners



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are aggrieved by Ext.P8 order, they are having an efficacious alternative remedy to challenge it before the DRAT under Section 18 of the SARFAESI Act. That apart, it is to be seen that it is after taking note of the fact that the petitioners have not complied with the directions passed by this Court in W.P. (C) No.32615/2025 and has not remitted the amount as ordered, the Tribunal had refused to grant interim relief. It is further to be seen that the IA is now posted for hearing to 07.07.2026.

In such circumstances, I find no reason to grant the reliefs sought for by the petitioners at this stage. Hence, this OP(DRT) is dismissed, without prejudice to the contentions and right of the petitioners to prosecute IA No.2656/2026 before the DRT.

Sd/-

**P.V. BALAKRISHNAN
JUDGE**

hnh/aks



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APPENDIX OF OP (DRT) NO. 212 OF 2026

PETITIONERS' EXHIBITS

Exhibit P1	THE TRUE COPY OF THE NOTICE DATED 14.08.2025 UNDER SECTION 3(2) NOTICE UNDER SARFAESI ACT TO THE PETITIONER ISSUED BY THE 2ND RESPONDENT
Exhibit P2	THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 2ND PETITIONER TO THE 2ND RESPONDENT DATED 21.08.2025
Exhibit P3	THE TRUE COPY OF THE JUDGEMENT IN WP(C) NO.32614 OF 2025 ON THE FILE OF HIGH COURT OF KERALA DATED 16.09.2025
Exhibit P4	THE NOTICE TO SURRENDER VACANT POSSESSION ISSUED BY THE ADVOCATE COMMISSIONER MS.PRASEETHA K.N DATED 21.05.2026
Exhibit P5	THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 1ST APPLICANT BEFORE THE 2ND DEFENDANT DATED 05.06.2026
Exhibit P6	THE TRUE COPY OF SECURITISATION APPLICATION NO. 428/2026 BEFORE THE DEBT RECOVERY TRIBUNAL, ERANAKULAM-1 DATED 17.06.2026
Exhibit P7	THE TRUE COPY OF THE STAY PETITION IA NO. 2656/2026 IN S.A.NO.428/2026 BEFORE THE DEBT RECOVERY TRIBUNAL, ERANAKULAM-1 DATED 17.06.2026
Exhibit P8	THE TRUE COPY OF THE PROCEEDINGS IN SA/428/2026 ON THE FILE OF DRT-1, ERNAKULAM DATED 22.06.2026