

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

WEDNESDAY, THE 18TH DAY OF FEBRUARY 2015/29TH MAGHA, 1936

OP(C).No. 36 of 2015 (O)

**E.P. NO.170/2012 IN O.P. NO. 622/2010 OF ADDITIONAL DISTRICT COURT-I,
THALASSERY.**
.....

PETITIONER/JUDGMENT DEBTOR 1:

**VINODH V.V.,
S/O.GOVINDHAN, THEKKADAVAN HOUSE,
CHITTARIKKAL AMSOM, DESOM,
P.O. KADUMENI, KASARAGODE DISTRICT.**

**BY ADVS.SRI.P.R.SREEJITH,
SRI.K.V.MANOJ KUMAR,
SRI.M.PROMODH KUMAR,
SMT.MAYA CHANDRAN.**

RESPONDENTS/DECREE HOLDER AND JUDGEMENT DEBTOR 2:

- 1. M/S.SHRIRAM TRANSPORT FINANCE COMPANY LIMITED,
BRANCH OFFICE, KANNUR, HASSAN ARCADE,
OPP. R.T. OFFICE, KANNUR,
REPRESENTED BY P.A. HOLDER AND
LEGAL CONSULTANT, K. DASAN,
M/S. SHRIRAM TRANSPORT FINANCE COMPANY LTD., PIN- 670 001.**
- 2. PRAMOD T.P.,
S/O. NARAYANAN, THAZATHU PURAYIL HOUSE,
RAMANTHALI AMSOM, PALAKKODE DESOM,
PALAKKODE P.O., KANNUR- 670 307.**

R1 BY ADV. SRI.RAJESH NAMBIAR.

**THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 18-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

rs.

OP(C).No. 36 of 2015 (O)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT P1 THE TRUE COPY OF THE E.P NO. 170/2012 IN OP NO.622/2010 OF
THE ADDL. DISTRICT COURT -I, THALASSERY.**

**EXHIBIT P2 TRUE COPY OF THE NOTICE OF PROCLAMATION OF SALE
DATED 16-12-2014 IN EXT. P1 EP SCHEDULING THE SALE
OF 07-01-2015.**

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

P. BHAVADASAN, J.

O.P.(C). No. 36 of 2015

Dated this the 18th day of February, 2015.

JUDGMENT

When this Original Petition was taken up for hearing, learned counsel for the petitioner pointed out that the petitioner may be given an opportunity to wipe off the debt in ten equal monthly instalments.

2. After having heard learned counsel for the petitioner and the first respondent, it appears that the suggestion put forward by the counsel for the petitioner appears to be reasonable and just and it is felt that an opportunity ought to be given to the petitioner to wipe off the debt.

This Original Petition is allowed and the petitioner is permitted to pay the decree debt in ten equal monthly instalments, first of which shall be paid on or before 15.3.2015 and the subsequent instalments on or before the

15th of the succeeding months. If the petitioner commits default in payment of any one instalment, execution proceedings shall continue.

P. BHAVADASAN,
JUDGE

sb.