

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

THURSDAY, THE 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

WP(C).No. 1216 of 2015 (B)

PETITIONER:

**C.K. MOIDEEN, AGED 70 YEARS
S/O.YOUSEPH, CHERIKALLINMEL HOUSE, CHOORAKODE POST
VALLAPUZHA, OTTAPALAM TALUK PIN - 679 336**

BY ADV. SRI.R.SREEHARI

RESPONDENTS:

- 1. THE OTTAPALAM PRIMARY CO-OPERATIVE
AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD. NO. P621
MAIN ROAD, OTTAPALAM, REPRESENTED BY ITS SECRETARY
PIN - 679 101**
- 2. THE OTTAPALAM PRIMERY CO-OPERATIVE
AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD. NO. P. 621
PATTAMBI BRANCH, REPRESENTED BY THE BRANCH MANAGER
PIN - 679 303**
- 3. THE SPECIAL SALE OFFICER FOR
OTTAPALAM PRIMARY CO-OPERATIVE AGRICULTURAL AND RURAL
DEVELOPMENT
BANK LTD. OTTAPALAM (JUNIOR INSPECTOR
OFFICE OF THE ASSISTANT REGISTRAR (G)
OTTAPALAM - 679 101)**

R3 BY GOVERNMENT PLEADER SRI. T.R. RAJESH

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
12-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

APPENDIX

PETITIONER(S)' EXHIBITS

- EXBT P1- PHOTO COPY OF RELEVANT PAGES OF PASS BOOK WITH RESPECT OF THE LOAN ACCOUNT**
- EXBT P2- PHOTOCOPY OF RECEIPT DATED 24.02.2014 ISSUED BY THE 2ND RESPONDENT**
- EXBT P3- PHOTOCOPY OF RECEIPT DATED 30.06.2014 ISSUED BY THE 2ND RESPONDENT**
- EXBT P3(a)- PHOTOCOPY OF RECEIPT DATED 30.06.2014 OF THE 2ND RESPONDENT**
- EXBT P4- PHOTOCOPY OF RECEIPT DATED 14.08.2014 OF THE 2ND RESPONDENT**
- EXBT P4(a)- PHOTO COPY OF RECEIPT DATED 14.08.2014 OF THE 2ND RESPONDENT**
- EXBT P5- PHOTOCOPY OF RECEIPT DATED 17.09.2014 OF THE 2ND RESPONDENT**
- EXBT P6- PHOTO COPY OF RECEIPT DATED 10.12.2014 OF THE 2ND RESPONDENT**
- EXBT P7- PHOTO COPY OF RECEIPT DATED 08.1.2015 OF THE 2ND RESPONDENT**
- EXBT P7(a)- PHOTO COPY OF RECEIPT DATED 08.01.2015 OF THE 2ND RESPONDENT**
- EXBT P8- PHOTO COPY OF SALE NOTICE DATED 09.12.2014 ISSUED BY THE 3RD RESPONDENT**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 1216 OF 2015

Dated this the 12th day of March, 2015

JUDGMENT

Respondents 1 and 2 though served with notice in the writ petition have not entered appearance. All that the petitioner prays is for easy instalments to pay the overdue amount and get the loan account regularised. The period of the loan expires in the year 2019 and the overdue amount comes to about Rs. 1,80,000/-.

2. I permit the petitioner to pay the overdue amount in six equal monthly instalments starting from 31.03.2015. This will be in addition to the equated monthly instalments which the petitioner is otherwise obliged to pay.

3. The coercive steps pursuant to Ext.P8 notice shall be put on hold if the petitioner complies with the conditions in time. The coercive steps shall surge ahead if the petitioner commits default in the payment of any one of the instalments as directed.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS