

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 10TH DAY OF FEBRUARY 2015/21ST MAGHA, 1936

WP(C).No. 3871 of 2015 (H)

PETITIONER(S):

SUNNY.M.F., AGED 45 YEARS
S/O.FRANCIS, AGRICULTURE, MANIMALA HOUSE,
KOZHICHAL, KANNUR DISTRICT.

BY ADVS.SRI.GRASHIOUS KURIAKOSE (SR.)
SRI.M.M.ANTO
SRI.GEORGE MATHEWS

RESPONDENT(S):

1. THE GENERAL MANAGER
KANNUR DISTRICT CO-OPERATIVE BANK LTD.
HEAD OFFICE KANNUR, KANNUR POST, KANNUR-1
2. THE MANAGER,
KANNUR DISTRICT CO-OPERATIVE BANK LTD.
HEAD OFFICE KANNUR, KANNUR POST, KANNUR-1
3. DEPUTY REGISTRAR OF CO-OPERATIVE SOCIETIES,
SALE OFFICER, KANNUR DISTRICT CO-OPERATIVE LTD.
KANNUR -1

R BY GOVERNMENT PLEADER SRI.GIKKU JACOB.
R BY SMT.MEENA JOHN, SC, KANNUR DIST. CO.OP.BANK

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
10-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

P1: TRUE COPY OF THE PASS BOOK OF THE PETITIONER

P2: TRUE COPY OF THE NOTICE DATED 31/1/2014.

P3: TRUE COPY OF THE REPLY LAWYER NOTICE DATED 7/3/2014.

P4: TRUE COPY OF THE RECEIPT DATED 15/12/14.

P5: TRUE COPY OF THE REQUEST DATED 20/1/15 SENT TO THE 2ND RESPONDENT

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.3871 of 2015

Dated this the 10th day of February, 2015

J U D G M E N T

The Award obtained by the second respondent Bank against the petitioner in the arbitration case has become final. It is therefore futile for the petitioner to lament about the rate of interest charged. It is however open to the petitioner to remit the principal sum of ₹43,601/- and claim remission of interest. Such claim can be made before the Loan Adalath scheduled to take place on 18.2.2015.

2. Otherwise the petitioner can repay the entire amount due in 8 equal monthly instalments. The instalments shall start from 20.2.2015 promptly.

3. The coercive steps against the petitioner shall be put on hold if the instalments are paid in time. The coercive steps can surge ahead if the petitioner commits default in the payment of any one of the instalments.

The Writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.