

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

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

WP(C).No. 4715 of 2015 (L)

PETITIONER:

**T.KUNHIRAMAN, AGED 50 YEARS
S/O KRISHNAN, CHEECHAKKAYA HOUSE, POST MUNNAD
VILLAGE MUNNAD, KASARAGOD TALUK, KASARAGOD DISTRICT.**

**BY ADVS.SRI.T.K.VIPINDAS
SRI.K.VSREE VINAYAKAN
SRI.K.M.MUHAMMED HUSSAIN**

RESPONDENTS:

- 1. THE SALE OFFICER
THE KASARAGOD PRIMARY CO-OP. AGRICULTURAL AND RURAL
DEVELOPMENT BANK
KASARAGOD VILLAGE, KASARAGOD P.O.
KASARAGOD DISTRICT-671123.**
- 2. THE SECRETARY
THE KASARAGOD PRIMARY CO-OP. AGRICULTURAL AND RURAL
DEVELOPMENT BANK
KASARAGOD VILAGE, KASARAGOD P.O.
KASARAGOD DISTRICT-671123.**
- 3. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES
VIDYA NAGAR P.O., KASARAGOD, PIN:671123.**
- 4. THE PRINCIPAL SECRETARY
REVENUE DEPARTMENT, SECRETARIAT
THIRUVANANTHAPURAM-695001.**

**R1 & R2 BY ADVS. SRI.T.SETHUMADHAVAN (SR.)
SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR
R3 & R4 BY GOVERNMENT PLEADER SRI. GIKKU JACOB**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 4715 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: THE TRUE COPY OF THE SALE NOTICE ISSUED BY THE 1ST RESPONDENT DATED 14.1.2015.

EXHIBIT P2: THE TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENTS 1 AND 2 DATED 29.1.2015 WITH THE POSTAL RECEIPT.

EXHIBIT P3: THE TRUE COPY OF THE GOVERNMENT ORDER ISSUED BY THE 4TH RESPONDENT DATED 15.2.2013.

EXHIBIT P4: THE TRUE COPY OF THE GOVERNMENT ORDER ISSUED BY THE 4TH RESPONDENT DATED 30.5.2014.

RESPONDENT(S)' EXHIBITS:-NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 4715 OF 2015

Dated this the 18th day of February, 2015

JUDGMENT

The period of moratorium declared by Exts. P3 and P4 orders has already expired. It is reported that another benevolent scheme 'Aswas 2015' is in vogue. The petitioner is free to avail the benefit of the said scheme on proper motion.

2. The petitioner shall in the meanwhile repay the debt due to the second respondent bank in instalments. The amount shall be paid in ten equal monthly instalments starting from 02.03.2015.

3. The coercive steps pursuant to Ext.P1 sale 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