IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 1ST DAY OF JULY 2015/10TH ASHADHA, 1937

WP(C).No. 5454 of 2014 (F)

PETITIONER :

MUHAMMED SHARIF
M.M.MANZIL, PADA NORTH, KARUNAGAPPALLY
KOLLAM DISTRICT.

BY ADVS.SRI.GOPAKUMAR R.THALIYAL
SRI.A.CHANDRA BABU

RESPONDENT(S) :
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1. THE CHIEF MANAGER
STATE BANK OF TRAVANCORE,
KARUNAGAPPALLY BRANCH
KOLLAM DISTRICT, PIN-690518.

2. THE TAHSILDAR
KARUNAGAPPALLY, KOLLAM DISTRICT,
PIN-690518.

3. THE VILLAGE OFFICER
KARUNAGAPPALLY VILLAGE, KARUNAGAPPALLY
KOLLAM DISTRICT, PIN-690 518.

R1 BY ADV. SRI.R.S.KALKURA, SC
R2 & R3 BY GOVT. PLEADER SMT. M.T. SHEEBA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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WP(C).No. 5454 of 2014 (F)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT P1 : TRUE COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT DT. 27.12.2013.

EXHIBIT P2 : TRUE COPY OF THE STATEMENT OF ACCOUNTS DT. 13-2-2014.

EXHIBIT P3 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DT.15-2-2014.

EXHIBIT P4 : TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT DT.15-2-2014.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

W.P.(C) No.5454 of 2014

Dated this the 1st day of July, 2015

J U D G M E N T

The petitioner availed an agricultural loan from the respondent Bank. On account of default in repayment of the loan amount, the Bank initiated revenue recovery proceedings against the petitioner. The same is under challenge in this writ petition.

2. The overdue amount is ₹1,10,000/- and the total liability is more than ₹2,20,000/-. The term of the loan will expire only in the year 2017.

Taking note of the facts and circumstances, this writ petition is disposed of with the following directions :

1. The petitioner shall discharge the entire overdue amount along with regular EMIs in eight equal monthly installments starting from the month of July 2015 onwards.
2. The petitioner is free to deposit the entire amount directly to the Bank.
3. If the overdue amount is cleared as stipulated above, the Bank shall regularise the account.
4. If the petitioner commits default in satisfying any of the installments as directed above, the Bank is at liberty to proceed against the petitioner.
5. The revenue recovery proceedings against the petitioner shall be deferred in tune with the directions.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

AV