

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

WP(C).No. 9194 of 2015 (Y)

PETITIONERS:

1. JOY SEBASTIAN, KAPYARU MALAYIL
ARAKUZHA, MUVATTUPUZHA, ERNAKULAM.
2. ANNAKUTTY DEVASYA, KAPYARU MALAYIL
ARAKUZHA, MUVATTUPUZHA, ERNAKULAM.

BY ADV. SRI.P.M.SEBASTIAN

RESPONDENTS:

1. THE SPECIAL SALE OFFICER,
ARAKUZHA CO-OPERATIVE SOCIETY,
OFFICE OF THE ASST. REGISTRAR GENERAL,
MUVATTUPUZHA. PIN - 686 661.
2. ARAKUZHA SERVICE CO-OPERATIVE BANK LTD.,
REPRESENTED BY THE SECRETARY, ARAKUZHA
MUVATTUPUZHA. PIN - 686 661.
3. THE JOINT REGISTRAR(GENERAL),
CO-OPERATIVE SOCIETIES ACT,
ERNAKULAM. PIN - 682 011.

R2 BY ADV. SRI.V.M.KURIAN
BY GOVERNMENT PLEADER SRI. SHYSON P MANGUZHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25-06-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 THE TRUE COPY OF THE PETITION DATED 1-1-2015 FILED BY THE PETITIONERS BEFORE THE 2ND RESPONDENT.
- EXT.P2 THE TRUE COPY OF THE DECISION TAKEN BY 3RD RESPONDENT DATED 16-3-2015 FIXING THE AMOUNT PAYBLE BY 1ST PETITIONER.
- EXT.P3 THE TRUE COPY OF THE DECISION TAKEN BY 3RD RESPONDENT DATED 16-3-2015 FIXING THE AMOUNT PAYABLE BY 2ND PETITIONER.
- EXT.P4 THE TRUE COPY OF THE PETITION DATED 17-3-2015 BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS

- EXT.R2(a) TRUE COPY OF STATEMENT OF HISTORY OF THE LOANS IN RESPECT OF THE PETITIONERS DURING THE LAST FEW YEAR.

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 9194 OF 2015

Dated this the 25th day of June, 2015

JUDGMENT

The petitioners confine their relief to easy instalments to pay the amount due to the 2nd respondent bank and to avert the coercive steps in the meanwhile.

2. I permit the petitioner to pay the amount due in eight equal monthly instalments starting from 31.07.2015. The coercive steps pursuant to Exts.P2 and P3 decisions shall be put on hold if the petitioners comply with the conditions in time. The coercive steps shall surge ahead if the petitioners commit default in the payment of any one of the instalments as directed.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd