IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE SMT. JUSTICE P.V.ASHA

TUESDAY, THE 5TH DAY OF MAY 2015/15TH VAISAKHA, 1937

WP(C).No. 13465 of 2015 (G)

PETITIONER:

ROHINI AMMA B., AGED 49 YEARS
D/O.BHAVANI AMMA, MUTTIYAZHIKATHU VEEDU
CHIRAKKARATHAZHAM P.O., CHIRAKKARA VILLAGE
KOLLAM DISTRICT - 691 578.

BY ADVS.SRI.C.HARIKUMAR
SRI.N.ASHOK KUMAR

RESPONDENTS:-:

1. THE SPECIAL SALE OFFICER/JUNIOR INSPECTOR OF CO-OPERATIVE SOCIETIES
PARAVUR S.N.V.R.C BANK LTD.NO.1685, PARAVUR
KOLLAM - 691 320.

2. PARAVUR S.N.V.R.C. BANK LTD.
NO.1685, PARAVUR, KOLLAM - 691 320
REPRESENTED BY ITS SECRETARY.

SRI.ABDUL KHADER.E.M, SR. GOVERNMENT PLEADER
R2 BY ADV. SRI.B.SURESH KUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05-05-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

RKC

WP(C).No. 13465 of 2015 (G)

APPENDIX

PETITIONER'S EXHIBITS

EXHIBIT P1. A TRUE COPY OF THE JUDGMENT IN W.P.(C)NO.28512 OF 2014 OF THIS HON'BLE COURT DATED 20.12.2014.

EXHIBIT P2. A TRUE COPY OF THE NOTICE DATED 13.01.2015 ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P3. A TRUE COPY OF THE RECEIPT DATED 13.11.2014.

EXHIBIT P4. A TRUE COPY OF THE REPRESENTATION DATED 06.02.2015 PREFERRED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXHIBIT P5. A TRUE COPY OF THE STATEMENT OF ACCOUNT DATED 09.02.2015 ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P6. A TRUE COPY OF THE ASHWAS 2015 CIRCULAR NO.9/2015 DATED 16.02.2015.

EXHIBIT P7. A TRUE COPY OF THE JUDGMENT IN WP(C)NO.7576 OF 2015 OF THIS HON'BLE COURT DATED 10.03.2015.

EXHIBIT P8. A TRUE COPY OF THE REPRESENTATION DATED 09.04.2015 PREFERRED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXHIBIT P9. A TRUE COPY OF THE LETTER DATED 13.04.2015 ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P10. A TRUE COPY OF THE STATEMENT OF ACCOUNT AS ON 27.03.2015.

RESPONDENTS' EXHIBITS: NIL

RKC

TRUE COPY

PA TO JUDGE

P.V.ASHA, J.,

W.P.(C) No.13465 of 2015

Dated this the 5th day of May, 2015

JUDGMENT

The petitioner, who happened to be a defaulter in repayment of loan availed from the second respondent bank, has again approached this Court seeking a direction to furnish a proper statement of account crediting the payment received in her loan account and for disposal of her representation Ext.P8. According to the petitioner, she is seeking regularisation of the loan account.

2. I heard the learned counsel appearing for the Bank. It is submitted that the amount due as on 27.3.2015 was a sum of ₹3,59,142/- (Rupees Three lakhs fifty nine thousand one hundred and forty two only). Subsequent to that she paid a sum of ₹86,000/- (Rupees Eighty six thousand only). According to the petitioner, this has not been credited in her account. One Time Settlement Scheme under the Ashwas, 2015 is not found feasible to the petitioner. Therefore, she seeks instalment facility in respect of the overdue amount and regularisation in the loan account.

3. In the circumstances of the case, there shall be a direction to the respondent Bank to furnish a proper statement of account to the petitioner after crediting the amount already remitted by her. The petitioner submits that the overdue amount will be paid within a period of eight equal monthly instalments. The petitioner shall also pay the regular instalments, on regularisation of the loan account.

In the light of the above undertaking, this writ petition is disposed of directing the petitioner to pay the first instalment within period of one month. In that event, the respondent shall not take any coercive action against the petitioner, except in the case of default.

Sd/-
P.V.ASHA,
JUDGE.

rkc