

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

MONDAY, THE 5TH DAY OF JANUARY 2015/15TH POUSHA, 1936

WP(C).No. 14456 of 2014 (F)

PETITIONERS:

-
1. P.V.RATHEESH, AGED 45 YEARS,
S/O.VASU, PALLIMATTAM HOUSE,
POOTHOTTA P.O., THRIPIUNITHURA,
ERNAKULAM DISTRICT, 682 307.
 2. SANGEETHA, AGED 40 YEARS, W/O. P.V.RATHEESH,
S/O. VASU, PALLIMATTAM HOUSE,
POOTHOTTA P.O., THRIPIUNITHURA,
ERNAKULAM DISTRICT - 682 307.

BY ADVS.SMT.ROSY GEORGE
SRI.V.M.SYAM KUMAR
SMT.KRIPA ELIZABETH MATHEWS
SRI.SURESH SAMUEL

RESPONDENTS:

-
1. SPL. SALE OFFICER/JUNIOR INSPECTOR OF CO-OP SOCIETIES,
KANAYANNUR CO-OPERATIVE AGRICULTURAL & RURAL
DEVELOPMENT BANK GROUP, KANAYANNUR CO-OPERATIVE
AGRICULTURAL & RURAL DEVELOPMENT BANK LTD.,
PALARIVATTOM, KOCHI - 682 025.
 2. SECRETARY, KANAYANNUR CO-OPERATIVE AGRICULTURAL &
RURAL DEVELOPMENT BANK LTD. , NO.E.326,
PALARIVATTOM P.O., KOCHI - 682 025.
 3. TAHASILDAR, KANAYANNUR TALUK,
ERNAKULAM 682 011.
 4. VILLAGE OFFICER, MANAKUNNAM VILLAGE OFFICE,
MANAKUNNAM, ERNAKULAM 682 022.

R1, R2 BY ADV. SRI.VARGHESE P.CHACKO
R3, R4 BY GOVERNMENT PLEADER SRI. T.R. RAJESH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05-01-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 - COPY OF LETTER DATED 24.08.2013 ISSUED BY THE 2ND RESPONDENT.
- EXHIBIT P2 - COPY OF LETTER DATED 28.11.2013 ISSUED TO THE PETITIONERS BY 2ND RESPONDENT.
- EXHIBIT P3 - COPY OF NOTIFICATION DTD 25.04.2014 BEARING CASE NO.39/2013 ISSUED BY THE 1ST RESPONDENT.

RESPONDENT(S)' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

WP(C) NO. 14456 OF 2014

Dated this the 5th day of January, 2015

JUDGMENT

All that the petitioners pray is for easy instalment to pay the defaulted arrears and to regularise the loan account. The defaulted arrears as seen from Ext.P3 notice is ₹1,37,743/- whereas the total liability shown therein is ₹9,77,429/-. The petitioners submit that they have already remitted a sum of ₹50,000/- towards the dues to the second respondent bank pursuant to the interim order in this Writ Petition.

2. I permit the petitioners to move an application for regularisation of the loan before the second respondent bank. Such application accompanied by a fresh deposit of ₹50,000/- shall be made within a period of three weeks from today. The application for regularisation of the loan shall be considered by the second respondent after notice to the petitioner within a period of two months therefrom.

3. The coercive steps pursuant to Ext.P3 notice shall be put on hold if the petitioners comply with the conditions as

WP(C) No. 14456/2014

above. The coercive steps can surge ahead if the petitioners commit default in the preferment of the application for regularisation accompanied by the deposit as directed above. The second respondent is free to pass any orders on the application for regularisation of the loan and initiate recovery steps accordingly.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd