

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 10TH DAY OF JUNE 2015/20TH JYASHTA, 1937

WP(C).No.15873 of 2015 (H)

PETITIONER:

**HUSSAIN P.K,PUZHAKKARA HOUSE,
NJANGATTIRI P.O.,PALAKKAD DISTRICT.**

**BY ADVS.SRI.N.M.MADHU
SRI.M.C.ASHI
SMT.C.S.RAJANI**

RESPONDENT:

**STATE BANK OF TRAVANCORE,
REPRESENTED BY ITS BRANCH MANAGER,
EDAPPAL BRANCH,MALAPPURAM DISTRICT-676505.**

**R1 BY SRI.T.SETHUMADHAVAN (SENIOR ADVOCATE)
ADVS.SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

W.P(C) NO.15873/2015

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:TRUE COPY OF THE LETTER SUBMITTED BY THE PETITIONER TO THE
RESPONDENT.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.15873 of 2015

Dated this the 10th day of June, 2015

J U D G M E N T

The petitioner has filed this writ petition with the following reliefs :

- (a) Issue a writ of mandamus or any other appropriate writ, order or direction commanding the respondent to afford easy repayment facility of the loan availed by the firm M/s Print House by reworking of the interest charged under various heads and by giving reasonable installments to clear the liability.
- (b) Pass such other orders and directions as deem fit and proper by this Hon'ble Court in the nature and circumstances of the case.

2. The petitioner submits that Bank may be directed to consider the request for waiver of penal interest. It is further submitted that, he may be permitted to discharge the entire liability in twenty equal monthly installments.

3. The learned Standing Counsel for the Bank opposes the prayer of the petitioner.

4. Considering the fact that, no coercive steps have been taken against the petitioner, I am of the view that, the petitioner could be given sufficient time to clear the entire liability.

Accordingly, this writ petition is disposed of with the following directions.

The petitioner's request for waiver of penal interest shall be considered by the competent authority of the Bank within a period of one month from the date of receipt of a copy of this judgment and communicate the decision to the petitioner. The petitioner is permitted to discharge the entire liability in twenty equal monthly installments starting from 25.06.2015. If the petitioner commits default in paying any of the installments as stipulated above, the Bank is at liberty to proceed against the petitioner in accordance with law.

Sd/-
A.MUHAMED MUSTAQUE, JUDGE.

AV