

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 17TH DAY OF JUNE 2015/27TH JYAISHTA, 1937

WP(C).No. 16744 of 2015 (P)

PETITIONER :-

**HEMACHANDRAKUMAR K.S.,
PUNANARATHALA VEEDU,
ATHIYANOOR, ARALUMMODU P.O.,
THIRUVANANTHAPURAM.**

BY ADV. SRI.M.R.SARIN PANICKER

RESPONDENT :-

**THE AUTHORISED OFFICER/CHIEF MANAGER,
MAIN BRANCH UNION BANK BHAVAN, M.G.ROAD STATUE,
THIRUVANANTHAPURAM-695001.**

R BY SRI.A.S.P.KURUP, SC, UBI

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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WP(C).No. 16744 of 2015 (P)

APPENDIX

PETITIONER(S)' EXHIBITS :-

**EXHIBIT P1 :- TRUE COPY OF DEMAND NOTICE ISSUED BY RESPONDENT TO
PETITIONER ON 17.1.14.**

**EXHIBIT P2 :- TRUE COPY OF THE ADVOCATE NOTICE ISSUED BY THE ADVOCATE
COMMISSIONER TO THE PETITIONER.**

RESPONDENT(S)' EXHIBITS :- NIL

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//TRUE COPY//

P.A. TO JUDGE

A.MUHAMED MUSTAQUE, J

W.P.(C)No.16744 of 2015

Dated this the 17th day of June, 2015

JUDGMENT

The petitioner availed a housing loan. He committed default in remitting EMI in the regular interval which resulted in initiation of the SARFAESI Proceedings.

2. The only prayer before this Court that he may be permitted to clear the overdue amount and direct the bank to regularise the account.

3. The learned counsel for the bank submitted that the overdue amount is around Rs.65,000/-. Considering the facts and circumstances of the case, the following directions are issued;

i) The petitioner shall remit ₹25,000/- on or before 29.06.2015. Thereafter, pay the balance overdue in two installments starting from 20.07.2015 along with the regular EMI.

ii) If the petitioner clears the entire overdue amount along with the EMI as above, the petitioner's account shall be regularized.

iii) If the petitioner fails to comply with any of the conditions as above, the bank is at liberty to proceed against him. To work out above reliefs, all coercive steps against him shall be deferred.

Therefore, this Writ Petition is disposed of.

Sd/-
A.MUHAMED MUSTAQUE
JUDGE

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//TRUE COPY//

P.A. TO JUDGE