

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 11TH DAY OF JUNE 2015/21ST JYASHTA, 1937

WP(C).No. 16835 of 2015 (D)

PETITIONER(S) :

- 1. SURESH KUMAR K.P. OF
CHALAKKARA VILLAGE, MAYYAZHI (MAHE) COMMUNE,
PUDUSSERY DISTRICT, SR.NO.8/12 , OPP ANANDPARK,
GANESH NAGAR WADGON SHERI PUNE, MAHARASHTRA.**
- 2. NIJITHA G.K OF
CHALAKKARA VILLAGE, MAYYAZHI (MAHE) COMMUNE,
PUDUSSERY DISTRICT, SR.NO.8/12 , OPP ANANDPARK,
GANESH NAGAR WADGON SHERI PUNE, MAHARASHTRA.**

**BY ADVS.SRI.NISHIN GEORGE VIJAYABABU
SRI.G.PRADEEP KUMAR**

RESPONDENT(S) :

**DEWAN HOUSING FINANCE CORPORATION LTD.,
HAVING ITS BRANCH OFFICE AT D.NO.TV-33/363,
2 1ST FLOOR, GRAND PLAZA, FORT ROAD, KANNUR, PIN- 670 001
AND HAVING ITS AUTHORIZED OFFICER'S OFFICE AT 1ST FLOOR,
K.M.M BUILDING , PALARIVATTOM, KOCHI- 682 035,
REPRESENTED BY ITS AUTHORISED OFFICER.**

**BY ADVS. SRI.P.PAULCHAN ANTONY
SRI.G.AJITH KUMAR**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 11-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 16835 of 2015 (D)

APPENDIX

PETITIONER(S)' EXHIBITS :

**EXHIBIT P1: COPY OF THE DEMAND NOTICE DATED 14.04.2015 ISSUED BY
THE RESPONDENT TO THE PETITIONERS.**

**EXHIBIT P2: COPY OF THE DEMAND NOTICE DATED 05.05.2015 PUBLISHED BY
THE RESPONDENT IN PAGE 3 OF THE KANNUR EDITION OF
THE HINDU NEWS PAPER.**

**EXHIBIT P3: COPY OF THE REPLY NOTICE DATED 15.05.2015 OF THE
RESPONDENT.**

EXHIBIT P4: COPY OF THE REPLY GIVEN BY THE RESPONDENT TO EXHIBIT P3.

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

PA.TO JUDGE

Msd.

A.MUHAMMED MUSTAQUE, J.

W.P.(C) No.16835 of 2015

Dated this the 11th day of June, 2015

J U D G M E N T

The petitioner availed a housing loan from the respondent finance institution. The petitioner has sought two fold reliefs before this Court. One is pertaining to return of certain documents related to the loan transaction. The other is seeking time to clear the overdue amount and regularise the account.

2. In respect of the first prayer the learned counsel for the financial institution submits that, they are prepared to give the following documents i.e. Statement of Accounts, copy of the loan agreement, sanction advise and repayment schedule to the petitioner. Therefore, the above documents shall be given to the petitioner within a period of two weeks from the date of receipt of a copy of this judgment.

3. In respect of the overdue amount, I am of the view that, the petitioner shall remit ₹50,000/- (Rupees Fifty thousand only) on or before 25.06.2015. If the petitioner remits the same, he shall be permitted to discharge the balance overdue amount in four equal monthly installments along with regular EMIs starting from the month of July 2015 onwards. If the petitioner clears the entire overdue amount along with regular EMIs as stipulated above, the loan account of the petitioner shall be regularised. If the petitioner

commits breach any of the conditions stipulated above, the respondent is free to proceed against the petitioner in accordance with law.

This writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

AV