

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

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

WP(C).No. 17463 of 2015 (G)

PETITIONER:

**NANDAKUMAR A, S/O.MADHAVAN,
AGED 33 YEARS, MANHURULI HOUSE,
KOVILAKAMKUNDU, MANJERI.P.O,
MALAPPURAM DISTRICT.**

**BY ADVS.SRI.BABU S. NAIR
SRI.K.RAKESH**

RESPONDENT:

**THE MALAPPURAM DISTRICT CO-OPERATIVE BANK LTD.,
MALAPPURAM, REPRESENTED BY ITS
GENERAL MANAGER(AUTHORISED OFFICER),
HEAD OFFICE, UPHILL, MALAPPURAM, PIN-676505.**

BY SRI.ESM.KABEER, SC

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

mbr/

WP(C).No. 17463 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS:

**EXT.P1 : TRUE COPY OF THE C.M.P.3778/2014 FILED BY THE RESPONDENT
BANK BEFORE THE C.J.M,MANJERI.**

**EXT.P2 : TRUE COPY OF THE MEDICAL CERTIFICATE OF THE MOTHER OF THE
PETITIONER ISSUED FROM THE 'MANASNEHA HOSPITAL'DT,13-1-2012.**

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.17463 of 2015

Dated this the 11th day of June, 2015

JUDGMENT

The petitioner approached this Court challenging SARFAESI proceedings. The petitioner has availed a consumption loan from the respondent Bank. The period of the loan is over. The only request of the petitioner is that he may be given an instalment facility to pay the entire amount.

2. Learned counsel for the Bank submits that total outstanding liability is Rs.5,39,940/-.

Considering the facts and circumstances, this writ petition is disposed of with the following directions:

1. The petitioner shall remit Rs.50,000/- on or before 25.6.2015.
2. Thereafter, the petitioner shall remit the balance amount in 15 monthly instalments starting from 25th July, 2015 onwards.
3. If the petitioner commits default in paying anyone of the instalments, the Bank is at liberty to proceed against the petitioner in accordance with law.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE