

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 25TH DAY OF JUNE 2015/4TH ASHADHA, 1937

WP(C).No. 17962 of 2015 (U)

PETITIONER(S):

**GEETHAKUMARI, AGED 52 YEARS,
W/O.K.VIJAYAN, CHEMBILAVILA MELEPUTHENVEEDU,
OOROOTTUKALA, NEYYATTINKARA P.O,
THIRUVANANTHAPURAM DISTRICT.**

**BY ADVS.SRI.R.T.PRADEEP,
SMT.M.BINDUDAS.**

RESPONDENT(S):

**AUTHORISED OFFICER,
THE KERALA STATE CO-OPERATIVE BANK LIMITED,
THIRUVANANTHAPURAM REGIONAL OFFICE,
STATE CO-OPERATIVE BANK BUILDING,
OVER BRIDGE JUNCTION, THIRUVANANTHAPURAM - 695 001.**

BY ADV. SRI.GEORGE POONTHOTTAM, SC.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 17962 of 2015 (U)

APPENDIX

PETITIONER'S EXHIBITS:-

P1 - TRUE COPY OF CASE SUMMARY DATED 19.07.2014 OF THE HUSBAND OF PETITIONER FROM THE DEPARTMENT OF CARDIOLOGY.

P2 - TRUE COPY OF AUCTION SALE NOTICE DATED 13.05.2015.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

A. MUHAMED MUSTAQUE, J.

W.P.(C). No. 17962 of 2015

Dated this the 25th day of June, 2015

J U D G M E N T

The petitioner is a house maid. Her husband is cardiac patient. The petitioner availed a mortgage loan from the responded Bank for an amount of ₹5 lakhs.

2. The total liability of the petitioner is around ₹7 lakhs. The request made by the petitioner before this Court, for time to discharge the entire liability. It is submitted that the petitioner is contemplating to sell another property in private sale to discharge the entire liability. The petitioner submitted that she has no means to pay any amount to the Bank.

3. The learned counsel for the Bank opposes the prayer of the petitioner.

4. It is seen from Ext.P1 that the petitioner's husband is undergoing treatment for cardiac ailment and since the petitioner is a house maid, I am of the view that, in the said circumstances the only way is to sell the property to liquidate the liability.

5. Accordingly, the petitioner is given four months time from today to discharge the entire liability. The Bank shall defer all coercive steps for four months.

The writ petition is disposed of.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.

Pn