

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

WEDNESDAY, THE 16TH DAY OF JULY 2014/25TH ASHADHA, 1936

WP(C).No. 18188 of 2014 (W)

PETITIONER :

**SUDHAKARAN R.
POOVANAL, PUTHANMBALAM P.O,
AIVARKALA, KUNNATHOOR, KOLLAM, PIN - 691 553.**

**BY ADVS.SRI.P.SANTHOSH KUMAR (TR)
SRI.T.P.SAJAN**

RESPONDENTS :

- 1. INDUSLND BANK LIMITED
HAVING ITS REGISTERED OFFICE AT M2401,
GENERAL THIMMAYYA ROAD, CANTONMENT POONA AND ITS
VEHICLE FINANCE DIVISION 92, CHAMIRE ROAD, CHENNAI,
HAVING ITS KOCHI OFFICE, REPRESENTED BY
AUTHORIZED OFFICER, PIN - 682 035.**
- 2. BRANCH MANAGER INDUSLND BANK LTD.,
(VEHICLE FINANCE DIVISION) KURUTHADIYIL BUILDING,
NEAR RAILWAY OVER BRIDGE, KAYAMKULAM P.O., PIN - 690 502.**

BY SRI.G.HARIHARAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 16-07-2014, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

Msd.

WP(C).No. 18188 of 2014 (W)

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT. P1 :** TRUE COPIES OF THE RECEIPTS ISSUED BY THE SECOND RESPONDENT ON VARIOUS DATES.
- EXT. P2 :** TRUE COPY OF THE NOTICE DATED 01.07.2014 ISSUED BY THE SECOND RESPONDENT.
- EXT. P3 :** TRUE COPY OF THE ORDER DATED 04.07.2014 IN CMP NO.2192/14 IN MC NO.183/14 OF CHIEF JUDICIAL MAGISTRATE COURT, ALAPPUZHA.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

K.VINOD CHANDRAN, J

W.P.(C).No. 18188 of 2014

Dated 16th July, 2014

JUDGMENT

The petitioner is aggrieved by the proceedings taken against the petitioner's vehicle for settlement of the defaulted amounts, in the loan account availed.

2.Considering the impecunious circumstances pleaded by the petitioner, it is directed that on payment of Rs.7500/- within two weeks from today, petitioner shall be permitted to get release of his vehicle and the balance defaulted amounts shall be settled in eight equal monthly instalments along with the regular EMIs. The respondent-Bank shall quantify the dues as on 31.07.2014 and issue a statement of accounts, in accordance with which the instalments shall be paid. The 1st instalment shall be paid on or before 16.08.2014 and thereafter; the due date

of instalments falling on the 16th of each succeeding month. If default is committed in two consecutive instalments, then the recovery proceedings shall revive and continue. On the satisfaction of the dues as per the statement, the Bank shall give a statement of the future interest from 31.07.2014 and the same shall be settled as the 9th instalment.

The writ petition stands disposed of as above.

Sd/-

**K.VINOD CHANDRAN,
Judge**

Mrcs

//True Copy//