IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 16TH DAY OF JUNE 2015/26TH JYAISHTA, 1937

WP(C).No. 17975 of 2015 (V)

PETITIONER(S):

AJITHAKUMARI, AGED 52 YEARS,
W/O. GOPINATHANA, AMBILI BHAVAN, KARAKKADU PO,
CHENGANNUR, ALAPUZHA DISTRICT 689 504.

BY ADV. SRI.K.N.RADHAKRISHNAN (THIRUVALLA)

RESPONDENT(S):
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1. AUTHORIZED OFFICER, HDFC HOUSING
   FINANCE CORPORATION LTD.,
   HDFC HOUSE, VAZHUTHAKADU PO,
   THIRUVANANTHAPURAM 695 010.

2. HDFC HOUSING FINANCE CORPORATION LTD,
   HDFC HOUSE, VAZHUTHAKADU PO,
   THIRUVANANTHAPURAM 695 010,
   REPRESENTED BY ITS MANAGER.

BY SMT.S. AMBILY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PJ

WP(C).No. 17975 of 2015 (V)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1	COPY OF JUDGMENT IN WP(C) 29858/2014 OF HIGH COURT DATED 11/12/14
EXT.P2	TRUE COPY OF THE NOTICE UNDER THE SECURITIZATION ACT ISSUED TO THE PETITIONER BY THE ADVOCATE COMMISSIONER

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.17975 of 2015

Dated this the 16th day of June, 2015

J U D G M E N T

The petitioner availed a housing loan from the respondent Bank during the year 2007. Due to default in repaying the loan amount, the Bank initiated 'SARFAESI' proceedings.

2. The petitioner already approached this Court in W.P.(C). No.29858/2014. The said writ petition was disposed of permitting the petitioner to clear the overdue amount and regularise the account. There are some irregular payments on the part of the petitioner in clearing the overdue amount. Now the fact remains is that, the overdue amount is around ₹15,000/- excluding incidental expenses.

3. Considering the fact that, the secured asset is a residential building, this writ petition is disposed of with the following directions :

The petitioner shall remit the overdue amount including incidental expenses along with regular EMIs in two installments starting from 29.06.2015. If the petitioner clears the overdue amount as stipulated above, petitioner's account shall be regularised.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

AV