

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 1937

WP(C).No. 19576 of 2015 (V)

PETITIONER(S) :

**SALAHUDHEEN AYANIKKODAN, S/O.MOHAMMED,
NOOR MAHAL HOUSE, EDAVANNA P.O., MALAPPURAM DISTRICT.**

**BY ADVS.SRI.P.SAMSUDIN
SRI.K.C.ANTONY MATHEW
SRI.JITHIN LUKOSE**

RESPONDENT(S) :

- 1. THE NILAMBUR CO-OPERATIVE URBAN BANK LTD. NO.F-1043,
NILAMBUR-679 329, MALAPURAM DISTRICT,
REPRESENTED BY GENERAL MANAGER.**
- 2. THE AUTHORISED OFFICER,
NILAMBUR CO-OPERATIVE URBAN BANK LTD. NO.F-1043,
NILAMBUR-679 329, MALAPURAM DISTRICT.**

BY ADV. SRI.P.J.DEVAPRASANTH, S.C

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-07-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' EXHIBITS :

- P1: TRUE COPIES OF RECEIPTS SHOWING RE-PAYMENTS OF THE LOAN.**
- P2: TRUE COPY OF THE NOTICE FOR SALE DATED 11.03.2014 ISSUED BY THE BANK TO THE PETITIONER.**
- P3: TRUE COPY OF THE ORDER DATED 09.06.2015 OF THE CJM COURT MANJERI IN CRL MP 3433/2015.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.19576 of 2015

Dated this the 6th day of July, 2015

JUDGMENT

The petitioner availed a housing loan from the respondent Bank. The petitioner impugns SARFAESI proceedings.

2. Learned counsel for the Bank submits that the total liability would come around Rs.3,60,000/-.

3. The only prayer made before this Court is that the petitioner may be permitted to discharge the entire liability in instalments.

Considering the fact that the secured asset is a residential building, following directions are issued:

- i. The petitioner shall deposit Rs.50,000/- on or before 27.7.2015.
- ii. If the petitioner deposits the above amount, he shall be given seven instalments to discharge the entire liability from succeeding months.
- iii. If the petitioner commits default in repayment of anyone of the instalments as above, the Bank is at liberty to proceed against the petitioner in accordance with law.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE