IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 21ST DAY OF JULY 2015/30TH ASHADHA, 1937

WP(C).No. 19737 of 2015 (N)

PETITIONER:

MINI B.J, W/O.MOHAMMED RAFI,
PAROTH PARAMBIL HOUSE,
VELLIKULANGARA P.O., THRISSUR.

BY ADV. SMT.E.V.MOLY

RESPONDENT:

SYNDICATE BANK,
MATTATTOOR BRANCH, KODALY,
PADY P.O, THRISSUR DISTRICT-680 699.
REPRESENTED BY ITS AUTHORIZED OFFICER.

BY SRI.R.S. KALKURA, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

mbr/

WP(C).No. 19737 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT. P1 : **TRUE COPY OF THE POSSESSION NOTICE DATED 13-3-2015.**

RESPONDENTS' EXHIBITS: **NIL.**

//TRUE COPY//

P.S. TO JUDGE

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A.MUHAMED MUSTAQUE, J.

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W.P.(C) No. 19737 of 2015

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Dated this the 21st day of July, 2015

JUDGMENT

The petitioner is the guarantor to the housing loan facility availed in the year 2009. The petitioner impugning SARFAESI proceedings, has approached this Court. The only prayer made before this Court is that the petitioner may be permitted to clear the overdue amount and the Bank may be directed to regularize the loan account.

2. Learned counsel for the Bank submits that the overdue amount is around Rs.64,000/- and the total liability is around Rs.3.75 lakhs.

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

i. The petitioner shall deposit Rs.15,000/- on or before 10.8.2015.

ii. Thereafter, the petitioner shall discharge the entire balance overdue amount along with regular EMI from the succeeding month onwards in five instalments.

iii. If the petitioner clears the overdue amount as above along with regular EMI, the Bank shall regularize the account of the petitioner.

iv. If the petitioner commits default in honouring anyone of the instalments, the Bank is free to proceed against the petitioner in accordance with law.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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