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. 21558 of 2015 (T)

PETITIONER:

SAKUNTHALA.S, AGED 51 YEARS,
D/O.AYYAKUTTY ASARI,
RESIDING AT SHIBIN NIVAS, VETTAMPALLY,
IRINJAYAM.P.O., NEDUMANGADU,
THIRUVANANTHAPURAM - 695 541.

BY ADVS.SRI.S.JUSTUS
SRI.N.S.JAYAKRISHNAN

RESPONDENT(S):
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1. **THE BRANCH MANAGER,**
   UNION BANK OF INDIA,
   TRIVANDRUM MAIN BRANCH,
   THIRUVANANTHAPURAM - 695 001.

2. **DEPUTY GENERAL MANAGER,**
   UNION BANK OF INDIA,
   UNION BANK BHAVAN, STATUE, M.G.ROAD,
   THIRUVANANTHAPURAM - 695 001.

BY SRI.NIDHI SAM JOHNS

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. 21558 of 2015 (T)

<u>APPENDIX</u>

<u>PETITIONERS' EXHIBITS:</u>

EXT. P1 : **TRUE COPY OF THE PETITION SUBMITTED BEFORE THE HON'BLE CHIEF MINISTER DATED 24.12.2014.**

EXT. P2 : **TRUE COPY OF THE REPLY SENT BY THE 2ND RESPONDENT DATED 30.12.2014.**

EXT. P3 : **TRUE COPY OF THE RECEIPTS ISSUED BY THE 1ST RESPONDENT BANK DATED 29.12.2014, 30.12.2014.**

EXT. P4 : **TRUE COPY OF THE NOTICE ISSUED BY THE ADVOCATE COMMISSIONER.**

<u>RESPONDENTS' EXHIBITS</u>: **NIL.**

//TRUE COPY//

P.S. TO JUDGE

mbr/

A.MUHAMED MUSTAQUE, J.

W.P.(C).No.21558 of 2015

Dated this the 21st day of July, 2015

<u>J U D G M E N T</u>

The petitioner availed two housing loans from the respondent Bank. Due to some unforeseen circumstances, the petitioner committed default in repaying the loan amount. The only relief sought by the petitioner is that, she may be permitted to discharge the overdue amount and the Bank may be directed to regularise the loan account.

2. It is submitted by the learned Standing Counsel for the Bank that, the total overdue amount in both the loan is more than ₹2 lakhs.

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

1. The petitioner shall discharge the entire overdue amount in six equal monthly installments starting from the month of August 2015 onwards on the due dates along with regular EMIs.
2. If the petitioner clears the overdue amount as stipulated above, the Bank shall regularise the account.
3. If the petitioner commits default in remitting any one of the installments, the Bank is at liberty to proceed against the petitioner.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

AV