

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 20TH DAY OF AUGUST 2015/29TH SRAVANA, 1937

WP(C).No. 21661 of 2015 (G)

PETITIONER(S):

**T.V.BINDHU,
PROPRIETOR, M/S.EVERGREEN UNIT, HAFNA COMPLEX
POLLACHI MAIN ROAD, BPL KOOTUPADHA, MARUTHA ROAD POST,
PALLKAKKAD 678 007 (RESIDING AT VISHAL BHAVAN,
NEELIKKAD, PUDUSSERY, PALAKKAD 678 623.**

BY ADV. SRI.SURIN GEORGE IPE

RESPONDENT(S):

**1. ALLAHABAD BANK,
PALAKKAD BRANCH # 11/724, K.A.V.CENTRAL COMPLEX
CHANDRA NAGAR,
PALAKKAD 678007 REPRESENTED BY ITS MANAGER.**

**2. ALLAHABAD BANK,
ERNAKULAM BRANCH,
SABU & CYPRAIN BUILDING, R.MADHAVAN NAIR ROAD,
OPPOSITE DOLPHIN CLUB, ERNAKULAM 682 016.**

**BY ADVS. SRI.LIJU. M.P
SRI.M.SUGADHA KUMAR**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 20-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 21661 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXT.P1 TRUE COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT
 DATED 6.5.2015 UNDER SECTION 13(2) OF THE SARFAESI ACT.**

**EXT P2 TRUE COPY OF THE NOTICE DATED 18.3.2015 ISSUED BY THE 1ST
 RESPONDENT**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.MUHAMED MUSTAQUE, J.

W.P.(C) No.21661 of 2015

Dated this the 20th day of August, 2015

JUDGMENT

The petitioner, challenging SARFAESI proceedings, has approached this Court. The only prayer of the petitioner is that she may be permitted to clear the overdue amount and the Bank may be directed to regularise the accounts. Though, notice has been served on respondents, none appeared for them.

In view of the facts and circumstances, the petitioner is permitted to clear the overdue amount in all three loan accounts in six instalments starting from the month of September, 2015 onwards. If the petitioner clears the overdue amount, the Bank shall regularize the accounts. However, if the petitioner fails to clear the overdue amount, the Bank is free to proceed against the petitioner in accordance with law. Coercive steps shall be deferred in tune with the above directions.

The writ petition is disposed of as above.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE

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