IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

WP(C).No. 22713 of 2015 (L)

PETITIONER(S) :

MUNEERA K.P., AGED 38 YEARS,
W/O.ABDULLA, RESIDING AT BASITH MANZIL, KARUVALAM,
PADNAKAD P.O, HOSDURG TALUK, KASARAGOD DISTRICT.

BY ADVS.SRI.T.MADHU
SMT.C.R.SARADAMANI

RESPONDENT(S) :
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1. THE DEWAN HOUSING FINANCE CORPORATION LIMITED,
   KANNUR BRANCH, REPRESENTED BY ITS BRANCH MANAGER,
   DEWAN HOUSING FINANCE CORPORATION LIMITED, 2ND FLOOR,
   GRAND PLAZA, FORT ROAD, KANNUR- 670 012.

2. THE AUTHORISED OFFICER,
   THE DEWAN HOUSING FINANCE CORPORATION LIMITED, 2ND FLOOR,
   GRAND PLAZA, FORT ROAD, KANNUR- 670 012.

BY ADV. SRI.P.PAULOCHAN ANTONY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Msd.

WP(C).No. 22713 of 2015 (L)
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APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: **THE TRUE COPY OF THE INDIVIDUAL LOAN STATEMENT OF THE HOUSING LOAN ACCOUNT OF THE PETITIONER DATED 11.09.2013.**

EXHIBIT P2: **THE TRUE COPY OF THE PETITION DATED 04.06.2015 IN C.M.P.NO.2585/15 ON THE FILES OF THE LEARNED CHIEF JUDICIAL MAGISTRATE'S COURT, KASARAGOD.**

EXHIBIT P3: **THE TRUE COPY OF THE RECEIPT DATED 06.02.2015 ISSUED BY THE 1ST RESPONDENT.**

EXHIBIT P4: **THE TRUE COPY OF THE RECEIPT DATED 28.02.2014 ISSUED BY THE 1ST RESPONDENT.**

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A. MUHAMED MUSTAQUE, J.

W.P(C). No. 22713 of 2015

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Dated this the 28th day of July, 2015

J U D G M E N T

The petitioner availed a housing loan from the respondent institution. Petitioner submits that, he may be permitted to clear the overdue amount and the Bank may be directed to regularise the account.

2. According to the learned counsel for the respondents, the overdue amount is ₹2,20,650/-.

3. In that view of the matter, following directions are issued:

(i) The petitioner shall remit ₹1,00,000/- within one month from today.

(ii) Thereafter the petitioner shall discharge balance overdue amount along with regular EMI in 3 monthly instalment from the succeeding month onwards.

(iii) If the petitioner clears the overdue amount, the Bank shall regularise the account.

(iv) If the petitioner commits default in paying any one of the instalments, the Bank is free to proceed against the petitioner.

This writ petition is disposed of.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE.

Pn