

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 18TH DAY OF AUGUST 2015/27TH SRAVANA, 1937

WP(C).No. 24313 of 2015 (L)

PETITIONER(S):

**SUJATHA, AGED 37 YEARS,
D/O. UDAYABHANU, ERAKKUKADAVIL VEEDU, MURUNTHAL CHERY,
PERINAD P.O., THRIKKADAVUR VILLAGE, KOLLAM.**

**BY ADVS.SRI.R.MOHANA BABU
SRI.M.AJITH (KARICODE)**

RESPONDENT(S):

- 1. THE KOLLAM DISTRICT CO-OPERATIVE BANK LTD,
REPRESENTED BY BRANCH MANAGER,
ANCHALUMMOOD EVENING BRANCH,
ANCHALUMMOOD, KOLLAM.**
- 2. THE AUTHORISED OFFICER,
KOLLAM DISTRICT COOPERATIVE BANK LTD, CHINNAKKADA,
P.B NO . 130, KOLLAM - 691 001.**

BY ADV. SRI.T.R.HARIKUMAR, SC,

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 18-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 24313 of 2015 (L)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1 - TRUE COPY OF THE LAND TAX RECEIPT NO. 1458278 OF THE
THRIKKADAVOOR VILLAGE.**

P2 - TRUE COPY OF THE NOTICE DT. 30.7.2015 ISSUED BY THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 24313 of 2015

Dated this the 18th day of August, 2015

JUDGMENT

The petitioner impugning SARFAESI proceedings has approached this Court. The only prayer of the petitioner before this Court is that she may be permitted to clear the overdue amount and the Bank may be directed to clear the amount.

2. According to the learned counsel for the Bank, the overdue amount of the petitioner is around Rs.2,92,000/-

Considering the facts and circumstances, the following directions are issued :

- i) The petitioner shall remit an overdue amount in 5 equal monthly instalments along with regular EMI from September onwards.
- ii) If the petitioner clears the amount as above, the Bank shall regularise the loan account.
- iii) If the petitioner fails to pay any one of the instalments, the respondent-Bank is free to proceed against the petitioner in accordance with law.

The writ petition is disposed of as above. No costs.

Sd/-

A. MUHAMED MUSTAQUE, JUDGE