

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937

WP(C).No. 24358 of 2015 (T)

PETITIONER(S):

**BINOY,
S/O.PRAHLADHAN, KARUMATHIL HOUSE, ANNAKARA VILLAGE,
PERUVALLUR DESOM, CHAVAKKAD TALUK, THRISSUR DT.**

BY ADV. SRI.V.C.MADHAVANKUTTY

RESPONDENT(S):

**1. THE TRICHUR DISTRICT CO-OPERATIVE BANK LIMITED,
HEAD OFFICE AT KOVILAKATHUMPADAM,
THRISSUR REP. BY ITS AUTHORISED OFFICER 680 001.**

**2. VIDHYA,
W/O.BINOY, KARUMATHIL HOUSE, ANNAKARA VILLAGE,
PERUVALLUR DESOM, CHAVAKKAD TALUK,
THRISSUR DT. 680 001.**

R1 BY SRI.C.A.MAJEED, SC,

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 24358 of 2015 (T)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1: TRUE COPY OF THE POSSESSION NOTICE DATED 6/2/2015 ISSUED BY THE
1ST RESPONDENT**

**P2: TRUE COPY OF THE NOTICE ISSUED BY ADVOCATE COMMISSIONER DATED
27/7/2015**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 24358 of 2015

Dated this the 19th day of August, 2015

JUDGMENT

The petitioner availed a loan from the respondent-Bank. He challenges SARFAESI proceedings. The only prayer of the petitioner before this Court is that he may be permitted to clear the overdue amount and the Bank may be directed to regularise the loan account.

2. According to the learned counsel for the Bank, the total overdue amount in the loan account is Rs.4,72,000/-.

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

- i) The petitioner shall remit the overdue amount in eight equal monthly instalments along with regular EMI from the month of September onwards.
- ii) If the petitioner clears the overdue amount as above, the Bank shall regularise the loan account.

iii) If the petitioner commits default in remitting 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

bpr