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. 25021 of 2015 (C)

PETITIONER(S):
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1. REJUMON V.R.,
   S/O.RAVEENDRAN, PUTHANPARAMBIL,
   PATTANAKKAD P.O.,CHERTHALA, PIN - 688 531.

2. RESMI SEKHAR,W/O.REJUMON V.R.,
   PUTHANPARAMBIL, PATTANAKKAD P.O.,
   CHERTHALA, PIN - 688 531.

   BY ADVS.SRI.DARSAN SOMANATH
   SRI.V.S.RAJAN

RESPONDENT(S):
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1. REGIONAL MANAGER,
   STATE BANK OF TRAVANCORE, KALARCODE,
   ALAPPUZHA, PIN : 688 003.

2. BRANCH MANAGER,
   STATE BANK OF TRAVANCORE, PONNAMVELI,
   PATTANAKKAD P.O., CHERTHALA, PIN : 688 531.

   BY SRI.P.SATHISAN, SC, STATE BANK OF TRAVANCORE

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

sts

WP(C).No. 25021 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P-1: TRUE COPY OF THE NOTICE ISSUED UNDER SECTION 13(2) OF SARFAESI ACT DATED 6.5.2015

EXT.P-2: TRUE COPY OF REQUEST SEND BY THE PETITIONERS TO THE RESPONDENT DATED 22.5.2015

EXT.P-3: TRUE COPY OF THE POSSESSION NOTICE ISSUED BY THE RESPONDENT BANK DATED 13.8.2015 UNDER SECTION 13(4) OF SARFAESI ACT.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 25021 of 2015

Dated this the 20th day of August, 2015

JUDGMENT

The petitioners availed a housing loan from the respondent-Bank. The petitioners challenge SARFAESI proceedings. The only prayer of the petitioners before this Court is that they 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 Bank, the overdue amount of the petitioner is Rs.1,94,000/-.

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

i) The petitioners are permitted to clear the overdue amount in six equal monthly instalments along with regular EMI from the month of September onwards.

ii) If the petitioners clear the amount as above, the Bank shall regularise the account.

iii) If the petitioners commit 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