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. 25425 of 2015 (C)

PETITIONER(S):
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1. **THANKAMANI VISWAMBHARAN, AGED 54 YEARS, W/O.VISWAMBHARAN, PADANADAN HOUSE, THURAVUMKARA P.O., VADAKKUM BHAGAM VILLAGE, ALUVA TALUK.**

2. **RAJESH P.V., AGED 32 YEARS, S/O.VISWAMBHARAN, PADANADAN HOUSE, THURAVUMKARA P.O., VADAKKUM BHAGAM VILLAGE, ALUVA TALUK.**

   BY ADV. SRI.KISHOR B.

RESPONDENT :

AUTHORISED OFFICER,
CANARA BANK LTD., SREEMOOLANAGARAM BRANCH,
ALUVA TALUK - 683 101.

BY SRI.N.RAJAGOPALAN NAIR

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

sts

WP(C).No. 25425 of 2015 (C)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. TRUE COPY OF THE FINAL REMINDER DATED 11.06.2015 FROM CANARA BANK.

EXHIBIT P2. TRUE COPY OF NOTICE PUBLISHED A MATHRUBHOOMI DAILY DATED 21.07.2015 FROM CANARA BANK.

EXHIBIT P3. TRUE COPY OF THE ADVERTISEMENT FOR E AUCTION DATED 17.08.2015 IN MATHRUBHOOMI DAILY.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO JUDGE

sts

A. MUHAMED MUSTAQUE, J

W.P.(C).No. 25425 of 2015

Dated this the 19th day of August, 2015

JUDGMENT

The petitioner challenging SARFAESI proceedings has approached this Court. He availed a housing loan from the respondent-Bank. 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 account.

2. The learned counsel for the Bank opposed the prayer of the petitioner. However, it is submitted that the overdue amount of the petitioner is only Rs. 75,000/-.

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

i) The petitioner shall remit Rs.20,000/- on or before 15.09.2015.

ii) Thereafter, the petitioner shall discharge the entire balance overdue amount along with regular EMI in six equal monthly instalments from the succeeding month onwards.

iii) If the petitioner remits the amount as above, the Bank shall regularise the account.

iv) 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