

**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. 25570 of 2015 (U)**  
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**PETITIONER(S) :**  
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**BADARUDEEN, AGED 58 YEARS,  
S/O.HANEEFA, KOOVAKATTU PUTHEN VEEDU, GANDHI NAGAR,  
KOLLAM 59, VADAKKEVILA P.O., KOLLAM.**

**BY ADVS.SRI.ARUN BABU  
SRI.G.HARIPRASAD**

**RESPONDENT(S) :**  
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**QUILON CO-OPERATIVE URBAN BANK LTD. Q.960,  
KOLLAM BRANCH, REPRESENTED BY ITS MANAGER IN CHARGE,  
YMCA ROAD, KOLLAM-691 001.**

**BY SRI.N.DHARMADAN (SENIOR ADVOCATE)  
ADV. SMT.D.P.RENU**

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

Msd.

**WP(C).No. 25570 of 2015 (U)**  
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**APPENDIX**

**PETITIONER(S)' EXHIBITS :**  
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**EXHIBIT P1: THE TRUE COPY OF THE NOTICE ISSUED BY THE ADVOCATE  
COMMISSIONER.**

**RESPONDENT(S)' EXHIBITS :**  
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**NIL**

**//TRUE COPY//**

**P.A.TO JUDGE.**

Msd.

**A. MUHAMED MUSTAQUE, J**

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**W.P.(C).No. 25570 of 2015**  
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**Dated this the 20<sup>th</sup> day of August, 2015**

**JUDGMENT**

The petitioner availed a housing 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 account.

2. According to the learned counsel for the Bank, the total overdue amount of the petitioner is around Rs.3,52,000/-.

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

- i) The petitioner shall clear the overdue amount in eight equal monthly instalments along with regular EMI from the month of September onwards on the due date.
- ii) If the petitioner clears the overdue amount, the Bank shall regularise the account.

iii) If the petitioner commits in default of remitting any one of the instalments, the respondent-Bank is free to proceed against the petitioner from the stage where it is stopped.

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

Sd/-

**A. MUHAMED MUSTAQUE, JUDGE**

bpr