IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ANIL K.NARENDRAN

TUESDAY, THE 15TH DAY OF SEPTEMBER 2015/24TH BHADRA, 1937

WP(C).No. 26464 of 2015 (G)

PETITIONER(S):

RAMACHANDRAN T.R. AGED 54 YEARS
S/O.RAMDAS VAIDYAR, THACHAPPILLY HOUSE
THRITHALLOOR VILLAGE AND DESOM
THRITHALLOOR P.O., CHAVAKKAD TALUK, THRISSUR DISTRICT.

BY ADV. SRI.RAJIT

RESPONDENT(S):

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1. AUTHORIZED OFFICER/REGIONAL MANAGER
REGIONAL OFFICE, KERALA GRAMIN BANK, SON TOWER
IIIRD FLOOR, EAST FORT P.O.
THRISSUR DISTRICT -685 005.

2. KERALA GRAMIN BANK
VATANAPPALLY, CHAVAKKAD TALUK, THRISSUR DISTRICT
REPRESENTED BY THE BRANCH MANAGER.

R1-R2 BY SRI.DEVAN RAMACHANDRAN, SC, KERALA GRAMIN BANK

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15-09-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 26464 of 2015 (G)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P-1: COPY OF THE NOTICE ISSUED BY THE IST RESPONDENT DT.10.8.2015

RESPONDENT(S)' EXHIBITS: N I L

//TRUE COPY//

P.A. TO JUDGE

JV

ANIL K. NARENDRAN, J.

W.P.(C) No.26464 of 2015

Dated this the 15th day of September, 2015

JUDGMENT

The petitioner, who availed a housing loan from the 2nd respondent Bank and also an overdraft facility, has approached this Court in this writ petition aggrieved by Ext.P1 notice issued by the 2nd respondent. According to the petitioner, for reasons beyond his control, he could not remit the instalments in time and he is prepared to remit the dues covered by the aforesaid loan transactions within a reasonable time, if a breathing time is granted for repayment.

2. The learned Standing Counsel for the 2nd respondent Bank on instructions would submit that as on 03.09.2015, the total amount outstanding in the home loan availed by the petitioner is Rs.4,29,000/- and that in the overdraft facility is Rs.70,000/-. The learned Standing Counsel would also submit that the overdues in the home loan comes to Rs.1,66,000/- as on 03.09.2015.

3. I heard the arguments of the learned counsel for the

petitioner and also the learned Standing Counsel for the respondent Bank.

Considering the facts and circumstances of the case, I deem it appropriate to dispose of this writ petition directing the petitioner to pay the overdues amounting to Rs.1,66,000/- in the home loan and the entire outstanding of Rs.70,000/- in the overdraft facility in eight equal monthly instalments commencing from 01.10.2015. This order will subject to a further condition that the petitioner shall continue to pay regular installments in the home loan without default. It is made clear that if the petitioner commits any default in remitting any of the instalments it would be open to the 2nd respondent Bank to proceed with Ext.P1 notice.

SD/-
ANIL K. NARENDRAN,
JUDGE

JV