

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

TUESDAY, THE 17TH DAY OF NOVEMBER 2015/26TH KARTHIKA, 1937

WP(C).No. 34062 of 2015 (G)

PETITIONER(S):

**SOORYANARAYANAN,
S/O.K.S. NANDAKUMAR, KOKPPRI HOUSE,
CHELAKODE P.O., CHELAKKARA, THRISSUR.**

BY ADV. SMT.E.V.MOLY.

RESPONDENT(S):

- 1. OFFICE OF THE DEPUTY TAHSILDAR (RR),
VADAKANCHERRY, THALAPPILLY, THRISSUR - 680 001.**
- 2. OFFICE OF THE VILLAGE OFFICE,
CHELAKODE, THRISSUR DISTRICT - 680 587.**
- 3. KERALA GRAMIN BANK, CHELAKKARA BRANCH,
REP. BY ITS AUTHORISED OFFICER, PIN-680 002.**

**R1 & R2 BY GOVT. PLEADER SMT.LILLY K.T.
R3 BY ADV. SRI.DEVAN RAMACHANDRAN.**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17-11-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 34062 of 2015 (G)

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P-1: TRUE COPY OF THE DEMAND NOTICE DATED 07.09.2015.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.K.JAYASANKARAN NAMBIAR, J.

W.P.(C) No.34062 of 2015

Dated this the 17th day of November 2015

JUDGMENT

The petitioner, who had availed a loan from the respondents, defaulted in repayment of the same. Consequently, the respondent bank initiated proceedings under the Revenue Recovery Act, to recover the loan amounts. Ext.P1 is the demand notice issued to the petitioner by the respondents. In the writ petition, the petitioner impugns the steps initiated by the respondents for recovery of the loan amounts.

2. I have heard the learned counsel appearing on behalf of the petitioner as also the learned Standing Counsel appearing on behalf of the respondents.

3. On a consideration of the facts and circumstances of the case and the submissions made across the bar, I note that the sole prayer of the petitioner is to permit him to remit the balance amounts outstanding to the respondents in easy installments. Taking into account the plea of financial hardship raised by the petitioner, I dispose the writ petition with the following directions:-

(i) The total outstanding amount, in respect of the loan, as on today, is stated to be Rs.1,50,350/- together with accrued interest. Accordingly, if the petitioner remits the aforesaid amount of Rs.1,50,350/- together with accrued interest in twelve equal and successive monthly installments, commencing from 10.12.2015, then the recovery steps initiated against her by the respondent bank shall be kept in abeyance.

(ii) It is made clear that if the petitioner commits a default in respect of any of the installments, he will lose the benefit of this judgment and the respondents will be free to continue the recovery proceedings against him from the stage at which they presently stand.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

sm/