

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 5TH DAY OF JANUARY 2015/15TH POUSHA, 1936

WP(C).No. 35054 of 2014 (F)

PETITIONER(S) :

**JUGESH.M, AGED 54 YEARS,
S/O.PURUSHOTHAMAN, USHASS, MAVUNGAL,
ANANDASRAMAM P.O, KASARAGOD DISTRICT**

BY ADV. SRI.V.C.MADHAVANKUTTY

RESPONDENT(S) :

- 1. NORTH MALABAR GRAMIN BANK,
REPRESENTED BY ITS REGIONAL MANAGER AND AUTHORISED OFFICER,
NMGB TOWERS, PALLIKUNNU, KANNUR- 670 004.**
- 2. USHAVATHI U.K., AGED 58 YEARS,
W/O.PURUSHOTHAMAN, USHASS, MAVUNGAL,
ANANDASRAMAM P.O, KASARAGOD DISTRICT- 671 121.**

**R1 BY ADV.SRI.P.SANKARANKUTTY NAIR, S.C
ADV.SRI.DEVAN RAMACHANDRAN, S.C**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 05-01-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Msd.

WP(C).No. 35054 of 2014 (F)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF THE ORDER DATED 04-12-2012 PASSED BY
THIS HONOURABLE COURT IN W.P.(C).NO.27993/12.**

**EXHIBIT P2: TRUE COPY OF THE JUDGMENT IN W.P.(C).NO.23759 OF 2013(T)
DATED 27-11-2013 PASSED BY THIS HONOURABLE COURT.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

A.K.JAYASANKARAN NAMBIAR, J.

.....
W.P.(C) No.35054 of 2014 (F)

.....
Dated this the 5th day of January, 2015

JUDGMENT

The petitioner, who defaulted on a loan availed from the respondent bank, had approached this Court on an earlier occasion through W.P.(C) No.27993 of 2012, which was disposed by Ext.P1 judgment, permitting the petitioner to pay the amount due to the bank in five equal monthly installments, the first of which was to be paid on or before 20.12.2012 and the subsequent installments to be paid on or before the 20th of every succeeding month. The coercive action initiated by the respondent bank at that stage was deferred subject to the petitioner making the payments as directed in the said judgment. It was also made clear in the said judgment that, if the petitioner defaulted in making any payment, the bank would be free to continue the recovery proceedings already initiated.

2.In the present writ petition, the petitioner seeks a direction to the respondent bank to permit the

petitioner to effect payments due to the bank in installments. On a query from the Bench as to whether any payment had been made, pursuant to Ext.P1 judgment of this Court, it was informed that no payments were made by the petitioner to the respondent bank pursuant to Ext.P1 judgment.

Under these circumstance, I see no reason to entertain the present writ petition, seeking further installments for payment of dues to the bank. The writ petition fails, and is accordingly dismissed.

Sd/-
A.K.JAYASANKARAN NAMBIAR
JUDGE

AMV/05/01/