

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 19TH DAY OF JANUARY 2015/29TH POUSHA, 1936

WP(C).No. 35080 of 2014 (H)

PETITIONER(S):

VIJAYASREELAN NAIR K.G., AGED 64 YEARS,
S/O GOPALA PILLAI, RESIDING AT NELASHARI
MANNARKKARA ROAD, PONNURUNNI WEST, CHALIKKAVATTOM
VYTTILA, KOCHI 682 028 FROM "PULIMUTTIL", KURUMANDAL
PARAVUR, KOLLAM 691 301

BY ADV. SRI.HARISH GOPINATH

RESPONDENT(S):

1. SPECIAL SALE OFFICER, ADICHANALLOOR FSCB GROUP,
OFFICE OF THE ASSISTANT REGISTRAR
(GENERAL) CO-OPERATIVE SOCIETIES
KOLLAM 13
2. THE SECRETARY,
THE PARAVUR SERVICE CO-OPEATIVE BANK LTD NO. 1801,
PARAVUR, KOLLAM 691301

R2 BY ADV. SRI.M.RAJENDRAN NAIR
R2 BY ADV. SMT.M.SANTHY
BY GOVT. PLEADER SRI.S.JAMAL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
19-01-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 35080 of 2014 (H)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1 TRUE COPY OF THE PETITIONERS DISCHARGE SUMMARY

EXHIBIT P2 TRUE COPY OF THE NOTICE DATED 05-11-2014 ISSUED BY THE IST
RESPONDENT IN THE PETITIONER'S LOAN

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.35080 of 2014

Dated this the 19th day of January, 2015

J U D G M E N T

The petitioner confines his relief to easy instalments to pay the amount due. The petitioner also seeks to defer the coercive steps issued by the respondents in the meanwhile.

2. I permit the petitioner to pay the amount due to the second respondent in 10 equal monthly instalments starting from 2.2.2015. The coercive steps pursuant to Ext.P2 notice shall be put on hold if the petitioner complies with the conditions in time. The coercive steps shall surge ahead if the petitioner commits default in the payment of any one of the instalments as directed above. Such sale in case of default by the petitioner can be held on the basis of the existing sale proclamation itself.

2. Nothing said herein above will disable the petitioner from availing the benefit of Debt Relief Scheme applicable to the loan in question.

The writ Petition is disposed of.

Sd/-
V.CHITAMBARESH,
Judge.

nj.