IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

WEDNESDAY, THE 27TH DAY OF MARCH 2024 / 7TH CHAITHRA, 1946

WP(C) NO. 6544 OF 2024

PETITIONERS:

1 TIJO SIMON, AGED 41 YEARS, S/O.SIMON, KIZHAKKEDASSERIYIL (H), ENANELLOR P.O., KALAMBOOR - 686673

2 LINCY TIJO, AGED 34 YEARS, W/O.TIJO SIMON, KIZHAKKEDASSERIYIL (H), ENANELLOR P.O., KALAMBOOR - 686673

3 TISSY SIMON, AGED 44 YEARS, D/O.SIMON, KIZHAKKEDASSERIYIL (H), ENANELLOR P.O., KALAMBOOR - 686673

4 TINA SIMON, AGED 50 YEARS, D/O.SIMON, KIZHAKKEDASSERIYIL (H), ENANELLOR P.O., KALAMBOOR - 686673

SHAJI THANKAPPAN
AMAL BABY
ANUJA THOMAS

RESPONDENTS:

1 ENANALLOOR SERVICE CO-OPERATIVE BANK LTD NO.1447 AYAVANA P.O., MUVATTUPUZHA, ERNAKULAM, REP. BY ITS SECRETARY., PIN - 686668

2 ASSISTANT REGISTRAR (GENERAL) OFFICE OF ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES, MUVATTUPUZHA, ERNAKULAM., PIN - 686661

3 SPECIAL SALE OFFICER, ENANALLOOR SERVICE CO-OPERATIVE BANK LTD NO.1447, AYAVANA P.O., MUVATTUPUZHA, ERNAKULAM., PIN - 686668

Nisha George
GEORGE POONTHOTTAM (SR.)(K/000570/1979)
ANN MARIA FRANCIS(K/001345/2016)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27.03.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The limited plea of the petitioners is that the respondent - Bank be directed to regularise their loan account and allow them to pay off the balance, as per the original terms of sanction.

2. In response to the afore request of Sri.Shaji Thankappan, made on behalf of the petitioners, the learned counsel for the Bank- Sri.Ann Maria Francis, submitted that if the petitioners pay Rs.2,20,977/-, which is the overdue amount in the account as on 26.03.2024, along with all applicable charges and interest, on or before 27.04.2024, the account can be regularised, but not otherwise. He added that his client is not willing to accede to any further indulgence in favour of the petitioner.

3. Since the Bank now says that the petitioners must pay the overdue amount of Rs.2,20,977/- as on 26.03.2024, along with applicable charges and interest, on or before 27.04.2024, this Court can only grant relief to the petitioners on such terms.

4. Resultantly, I allow this writ petition to the limited extent of leaving liberty to the petitioners to pay the afore amount on or before 27.04.2024; in which event, the account will stand regularised and the petitioner will be allowed to pay the balance as per the original sanction.

Needless to say, if the petitioners do not comply with the directions in this judgment, they will lose the benefit of the declarations herein; and the Bank will be at liberty to initiate and pursue necessary action as per law, however, following due procedure.

Sd/- DEVAN RAMACHANDRAN
JUDGE

stu

APPENDIX OF WP(C) 6544/2024

PETITIONER EXHIBITS

Exhibit P1	**A TRUE PHOTOCOPY OF THE ATTACHMENT NOTICE DATED 05.02.2024 IN E.P.N.O.1535/2023 IN ARC.NO.1191/2021 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER**
Exhibit P2	**A TRUE PHOTOCOPY OF THE ATTACHMENT NOTICE DATED 05.02.2024 IN E.P.N.O.1536/2023 IN ARC.NO.1192/2021, ISSUED BY THE 3RD RESPONDENT TO THE PETITIONERS**
Exhibit P3	**A TRUE PHOTOCOPY OF THE ATTACHMENT NOTICE DATED 05.02.2024 IN E.P.N.O.1537/2023 IN ARC.NO.1193/2021 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER**
Exhibit P4	**A TRUE PHOTOCOPY OF THE ATTACHMENT NOTICE DATED 05.02.2024 IN E.P.N.O.1538/2023 IN ARC.NO.1194/2021 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONERS**