IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

TUESDAY, THE 9TH DAY OF APRIL 2024 / 20TH CHAITHRA, 1946

WP(C) NO. 13748 OF 2024

PETITIONER:

SHAHIDA.M.,
AGED 59 YEARS, W/O. NIZAMUDEEN.S,
BHAGYODAYAM, THEKKEVILA P.O., MUNDAKKAL,
KOLLAM, PIN - 691016

BY ADVS.
DENU JOSEPH
MUHISEENA.V.Z
T.S.SANTHOSH (NETTOORAN)
MANJU M.K.
JOYAL P. JOY

RESPONDENTS:

1 **THE STATE OF KERALA,**
DEPARTMENT OF CO-OPERATION, GOVT.SECRETARIAT,
THIRUVANANTHAPURAM, KERALA, PIN - 695001
REPRESENTED BY ITS SECRETARY.

2 **SPECIAL SALE OFFICER,**
CO-OPERATIVE SOCIETY ASSISTANT REGISTRAR
(GENERAL) OFFICE, KOLLAM - 13, PIN - 695013

3 **DECENT JUNCTION SERVICE CO-OPERATIVE BANK LTD.**
NO. 133, DECENT JUNCTION P.O.,
KOLLAM, PIN – 691577
REPRESENTED BY ITS SECRETARY

4 **OFFICE OF THE REGISTRAR OF CO-OPERATIVE**
SOCIETIES, JAWAHAR SAHAKARANA BHAVAN, DPI
JUNCTION, THYCAUD P.O., KERALA, PIN - 695014
REPRESENTED BY ITS REGISTRAR.

BY ADVS.
SRI.PRASAD CHANDRAN
SMT.C.S.SHEEJA – SR.GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09.04.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

When this matter was called today, Sri.Prasad Chandran – learned counsel for the respondent Bank, submitted that, the total outstanding in the Loan Account of the petitioner, as on 09.04.2024, is Rs.7,05,595/-; and that if she is willing to pay the same in not more than 15 equal monthly installments, his client will not stand in the way of this Court disposing of this writ petition on such terms.

2. Sri.Denu Joseph – learned counsel for the petitioner, fully agreed to the afore and prayed that this Writ Petition be thus ordered.

In the afore circumstances, I allow this Writ Petition, granting liberty to the petitioner to pay the total outstanding amount in the Loan Account, namely, Rs.7,05,595/- as on 09.04.2024, with all applicable charges and interest, in 15 equal monthly installments commencing from 01.06.2024. If this is done, the Bank shall close the Loan account and return the security documents to her, on proper receipt.

Needless to say, as long as the petitioner pays as per the above directions, all further action pursuant to Ext.P1 will stand

deferred; but if she defaults payment of any two consecutive installments as ordered above, the Bank will be at full liberty to invoke appropriate remedies for recovery of the total balance amount as per law, without having to obtain any further orders from this Court.

Sd/-
DEVAN RAMACHANDRAN
JUDGE

ACR

APPENDIX OF WP(C) 13748/2024

PETITIONER EXHIBITS

Exhibit.P1	**THE COPY OF THE AUCTION NOTICE ISSUED BY THE 2ND RESPONDENT DATED 06.03.2024**

RESPONDENTS' EXHIBITS : NIL.