



2025:KER:27126

WP(C)No.2569 of 2025

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

THURSDAY, THE 27TH DAY OF MARCH 2025 / 6TH CHAITHRA, 1947

WP(C) NO. 2569 OF 2025

PETITIONER:

THULASIDAS.K.T.,
AGED 52 YEARS
S/O. CHANDU, KALARI THAZHATH, THALAKULATHUR POST,
PURAKKATTIRI, KOZHIKODE DISTRICT, PIN - 673317

BY ADV V.T.MADHAVANUNNI

RESPONDENTS:

- 1 KARANNUR SERVICE CO-OPEREATIVE BANK LTD.
NO.LL 37, THALAKULATHUR POST, KOZHIKODE, REPRESENTED BY
ITS SECRETARY, PIN - 673317
- 2 THE ARBITRATOR/SPECIAL SALE OFFICER
MAVOOR SCB GROUP, OFFICE OF THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES (GENERAL), KOZHIKODE, PIN -
673004

BY ADV SANIL CHANDRAN K.V., SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 27.03.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



JUDGMENT

The loan availed by the petitioner from the 1st respondent Society fell in arrears. The Society initiated arbitration proceedings. Pursuant to Award, Ext.P1 sale notice was issued to the petitioner. Challenging Ext.P1, the petitioner has filed this writ petition.

2. This Court on 21.01.2025 passed an order to the effect that, if sale takes place pursuant to Ext.P1, it shall not be confirmed for a period of one month.

3. It is submitted by Sri.Sanil Chandran, the learned counsel for the Society that the sale has taken place and the Society has bid the property in auction. The learned counsel further submits that as on 25.01.2025, an amount of Rs.17,83,445/- is outstanding in the loan account of the petitioner.

4. The learned counsel for the petitioner submits that the petitioner is willing to pay the entire outstanding amount in 20 equal monthly instalments.



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5. In the facts and circumstances of the case and having regard to the submissions made across the Bar, there will be a direction to the petitioner to pay the outstanding amount of Rs.17,83,445/- in 20 equal monthly instalments commencing from 02.05.2025, along with accrued interest and applicable charges.

If the petitioner defaults payment of any of the instalments, it will be open to the Society to proceed against him for recovery of the amount, in accordance with law. To enable the petitioner to repay the amount in instalments as above, all coercive proceedings against him pursuant to Ext.P1 shall stand deferred.

The writ petition is disposed of.

Sd/-

**MURALI PURUSHOTHAMAN
JUDGE**

smp



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APPENDIX OF WP(C) 2569/2025

PETITIONER EXHIBITS

Exhibit P1

**TRUE COPY OF THE SALE NOTICE DATED 09.12.2024
ISSUED BY THE 2ND RESPONDENT**