2025:KER:31297

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

WP(C) NO. 15034 OF 2025

PETITIONER:

ABDUL RAHMAN
AGED 55 YEARS
S/O. LATE ABDU, RESIDING AT KULANGARA HOUSE,
KUMARANELLUR P.O, PALAKKAD DISTRICT,, PIN - 679552

BY ADVS.
JERRY PETER
K.VISWANATHAN

RESPONDENTS:

1 **STATE OF KERALA**
REPRESENTED BY SECRETARY TO GOVERNMENT, CO-OPERATIVE DEPARTMENT, ROOM NO. 378, IST FLOOR, MAIN BLOCK, SECRETARIAT, STATUE JUNCTION, THIRUVANANTHAPURAM GENERAL.P.O., THIRUVANANTHAPURAM DISTRICT, PIN - 695001

2 **WADAKKANCHERY BLOCK MULTIPURPOSE CO-OPERATIVE SOCIETY LTD NO.R-1125, XI/1450 NEAR GOVT. BOYS HIGHER SECONDARY SCHOOL, WADAKKANCHERY.P.O., THRISSUR DISTRICT, REPRESENTED BY ITS SECRETARY, PIN - 680582**

3 **THE SECRETARY**
WADAKKANCHERY BLOCK MULTIPURPOSE CO-OPERATIVE SOCIETY LTD NO.R-1125, XI/1450 NEAR GOVT. BOYS HIGHER SECONDARY SCHOOL, WADAKKANCHERY.P.O.,
THRISSUR DISTRICT, PIN - 680582

4 **THE SPECIAL SALE OFFICER**
ASSISTANT REGISTRAR OFFICE, CO-OPERATIVE SOCIETIES, WADAKKANCHERY.P.O., THRISSUR DISTRICT, PIN - 680582

**5 THE JOINT REGISTRAR (CO-OPERATIVE SOCIETIES)
OFFICE OF THE JOINT REGISTRAR (CO-OPERATIVE SOCIETIES),
THRISSUR.P.O., PIN - 680003**

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

2025:KER:31297

MURALI PURUSHOTHAMAN, J.

WP(C) No.15034 of 2025

Dated this the 10th day of April, 2025

JUDGMENT

The petitioner had availed financial facilities from the 2nd respondent society. When he defaulted repayments, arbitration proceedings were initiated against him. Ext.P1 is the sale notice which refers to 45 execution petitions.

2. The learned counsel for the petitioner submits that the property mortgaged for securing the financial facilities belongs to the petitioner and the petitioner may be permitted to clear off the liability in installments.

3. Sri. P.C. Sasidharan, learned counsel for the society, on instruction, submits that, as on today (10.04.2025), an amount of Rs.2,47,87,845/- (Rupees Two Crores Forty Seven Lakhs Eighty Seven Thousand Eight Hundred and Forty Five only) is outstanding in the accounts referred to in Ext.P1 and the petitioner can be permitted to pay the said amount in reasonable installments.

4. The learned counsel for the petitioner submits that the petitioner may be permitted to pay the amount Rs.2,47,87,845/- in 20 equal monthly installments.

In the facts and circumstances of the case, this writ petition is disposed of with the following directions:

(1) The petitioner shall pay the outstanding amount of Rs.2,47,87,845/- along with accrued interest and applicable charges in 20 equal monthly installments commencing from 31.05.2025.

(2) If the petitioner defaults payment of any of the installments, it will be open to the Society to proceed against him, for the recovery of the amount in accordance with law.

(3) To enable the petitioner to remit the installments, all coercive proceedings against him shall stand deferred.

Sd/-
MURALI PURUSHOTHAMAN
JUDGE

ASH

APPENDIX OF WP(C) 15034/2025

PETITIONER EXHIBITS

Exhibit P1	**TRUE COPY OF THE SALE NOTICE ISSUED BY THE 4TH RESPONDENT DATED 04.03.2025**
Exhibit P2	**TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 5TH RESPONDENT DATED 26.03.2025**