



C.R.P.(PD) (MD) No.1739 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2025

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

C.R.P.(PD)(MD) No.1739 of 2022

and

C.M.P.(MD) No.7625 of 2022

1.K.Baskaran

2.Birundha

... Petitioners/Appellants

Vs.

The General Manager,
Nicholson Cooperative Town Bank Ltd.,
Having its office at
No.8, East Main Street,
Thanjavur.

... Respondent/Respondent

Prayer: Petition filed under Article 227 of the Constitution of India against the decree and judgment dated 21.12.2021 in CS C.M.A.No.7 of 2021 on the file of the Court of the Principal District Judge, Thanjavur.

For Petitioners : Mr.P.Ganapathi Subramanian

For Respondent : Mr.G.Karnan



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ORDER

This civil revision petition is filed under Article 227 of the Constitution of India aggrieved by an order passed in CS C.M.A.No.7 of 2021, dated 21.12.2021, wherein the order passed in ROC Na.Ka.No. 2718/2019 Sa.Pa, dated 20.03.2020 in Suit No.88/2019-2020 was confirmed. By virtue of the impugned order, the petitioner is liable to repay the entire loan amount availed by him towards housing loan of the respondent-Bank.

2. When the matter has come up for consideration on an earlier occasion on 17.02.2025, this Court directed the respondent-Bank to ascertain as to the actual amount due as on date in terms of the impugned order and also required the learned counsel for the petitioner to ascertain whether the petitioner is willing to repay the entire amount or not?

3. Today, when the matter is taken up for consideration, it is brought to the notice of this Court by the learned counsel for the petitioner



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that the total amount due as on date is Rs.16,81,296/-. Learned counsel for the petitioner submitted that the petitioner is solely depending upon the agriculture and is not in a position to repay the loan amount, at a time. He further submitted that the petitioner is willing to repay the entire loan amount in 12 equal monthly instalments and thus, sought the indulgence of this Court to permit the petitioner to repay the loan amount.

4. Learned counsel for the respondent also fairly conceded to the request made by the learned counsel for the petitioner.

5. In the light of the submission made by the learned counsel for the petitioner, this Civil Revision Petition is disposed of permitting the petitioner to repay the entire loan amount in 12 equal monthly instalments at the rate of Rs.1,40,000/- commencing from 1st April, 2025 and the balance amount, if any, left after payment of 11 instalments shall also be paid along with the last instalment. In case, if the petitioner commits default in any three consecutive monthly instalments, the respondent is at liberty to take steps for recovery of the balance loan amount in accordance with law. There shall be



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no order as to costs. Consequently, connected miscellaneous petition is closed.

28.02.2025

NCC : Yes/No
Index : Yes/No
Internet : Yes

ABR

To

The Principal District Judge,
Thanjavur.



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MUMMINENI SUDHEER KUMAR, J.

ABR

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