



2025.KFD.12688
IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

FRIDAY, THE 14TH DAY OF FEBRUARY 2025 / 25TH MAGHA, 1946

WP(C) NO. 2666 OF 2021

PETITIONER:

ROOPA R NAIR
AGED 35 YEARS
D/O.RAMACHANDRAN (LATE) , CHERIYANDI HOUSE,
MELMURIYODI POST, MOAVATHARA, PERAVOOR, KANNUR
DISTRICT-670 673.

BY ADVS.
K.M.FIROZ
SMT.M.SHAJNA

RESPONDENTS:

- 1 THE SPECIAL SALE OFFICER
DHARAMADAM SERVIC CO-OPERATIVE BANK, OFFICE OF
THE ASSITANT REGISTRAR OF CO-OPERATIVE SOCIETIES
(GENERAL) , THALASSERY-670 101.
- 2 THE ASSISTANT REGISTRAR (GENERAL) OF CO-OPERATIVE
SOCIETIES,
DEPARTMENT OF CO-OPERATION, OFFICE OF THE
ASSISTANT REGISTRAR (GENERAL) OF CO-OPERATIVE
SOCIETIES, THALASSERY-670 101.
- 3 STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF CO-
OPERATION, SECRETARIAT, THIRUVANANTHAPURAM-695
014.
- 4 DHARMADAM SERVICE CO-OPERATIVE BANK, PALAYAD,
PALAYAD POST, THALASSERY-670 661, REPRESENTED BY
ITS SECRETARY.



BY ADV SRI.M.SASINDRAN

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OTHER PRESENT:

GP RIYAL DEVASSY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 14.02.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



2025.FEB.12688

VIJU ABRAHAM, J.**W.P. (C) .No.2666 of 2021****Dated this the 14th day of February, 2025****JUDGMENT**

Petitioner has approached this Court challenging to quash Ext.P1 notice initiated for recovery of the amount due to the Bank towards the loan availed by the petitioner.

2. When the matter came up for consideration on 02.02.2021, this Court has issued an order of stay of all further proceedings pursuant to Ext.P1 on condition that the petitioner deposits a sum of Rs.25,000/- within a period of one month. Both sides submit that the direction in the interim order has been complied with.

3. The Learned counsel appearing for the respondent bank submits that the amount due as on date is Rs.2,45,753/-. Learned counsel for the petitioner submits that the petitioner may be permitted to pay the amount in equal monthly installments, which is not seriously opposed by



the learned counsel for the respondent bank but submitted that if any installment is granted for payment, the same shall be with a rider that in case of default in payment of one installment, the bank will be free to proceed with the recovery.

4. After hearing both sides, I am inclined to dispose of the writ petition as follows:

The petitioner shall pay the entire amount due towards the loan along with any other charges and interest in fifteen equal monthly installments starting from 1st day of March, 2025 and continue to pay the installments on the 1st day of the succeeding months. It is made clear that in case of default in payment of a single installment, the respondent bank will be free to proceed further with Ext.P1, for recovery of the amount due.

sd/-

VIJU ABRAHAM, JUDGE



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APPENDIX OF WP(C) 2666/2021

PETITIONER'S EXHIBITS

EXHIBIT P1

TRUE COPY OF THE NOTICE ISSUED BY THE
1ST RESPONDENT SPECIAL SALE OFFICER TO
THE PETITIONER DATED 14.01.2021.