



2025:KER:30836

WP(C) No.5246 of 2025

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

TUESDAY, THE 8TH DAY OF APRIL 2025 / 18TH CHAITHRA, 1947

WP(C) NO. 5246 OF 2025

PETITIONERS:

- 1 SUDHA P
AGED 49 YEARS
W/O RAMESHAN, RESIDING AT NEDIYARAMBATH HOUSE, KAKKOOR
P.O., KOZHIKODE, PIN - 673613
- 2 RAMESHAN N
AGED 56 YEARS
S/O JOYKUTTY, RESIDING AT NEDIYARAMBATH HOUSE, KAKKOOR
P.O., KOZHIKODE, PIN - 673613

BY ADVS.
THOMAS ABRAHAM
MERCIAMMA MATHEW
ASWIN.P.JOHN
R.ANANTHAPADMANABAN
PAUL BABY
SWATHY A.P.

RESPONDENTS:

- 1 REGISTRAR OF COOPERATIVE SOCIETIES
DEPARTMENT OF COOPERATION, OFFICE OF THE REGISTRAR OF
COOPERATIVE SOCIETIES, JAWAHAR SAHAKARANA BHAVAN, DPI
JUNCTION, THYCAUD P.O., THIRUVANANTHAPURAM, PIN -
695014
- 2 JOINT REGISTRAR OF COOPERATIVE SOCIETIES
OFFICE OF JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,
SAHAKARANA BHAVAN, PUTHIYARA, KOZHIKODE, PIN - 673004



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3 PERUVAYAL SERVICE COOPERATIVE BANK LTD NO.LL26
P.O. PERUVAYAL, CALICUT, REPRESENTED BY ITS SECRETARY,
PIN - 673008

BY ADVS.
Adv. Rakesh Roshan K
THUSHARA.V(K/300/2003)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 08.04.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



JUDGMENT

The loan availed by the 1st petitioner from the 3rd respondent Society fell in arrears. The 2nd petitioner is the guarantor. The Society initiated arbitration proceedings. Pursuant to Ext.P2 Award, recovery proceedings were initiated by the Society. The petitioners have filed this writ petition challenging Ext.P2 Award. The petitioners have also sought for a direction to permit them to pay the overdue amount in instalments and to regularise their loan account.

2. Sri.Rakesh Roshan, the learned counsel for the Society, on instructions, submits that as on 01.04.2025, an amount of Rs.20,00,031/- is overdue in the loan account of the 1st petitioner and the petitioners can be permitted to pay the said amount in reasonable instalments.

3. The learned counsel for the petitioners submits that the petitioners may be permitted to pay the overdue amount in 18 equal monthly instalments.

4. In the facts and circumstances of the case, there will be a direction to the petitioners to pay the overdue amount of



Rs.20,00,031/- in 18 equal monthly instalments commencing from 15.05.2025, along with accrued interest and applicable charges. The instalments as above shall be payable in addition to the regular EMIs.

If the petitioners default payment of any of the instalments, it will be open to the Society to proceed against them for recovery of the amount, in accordance with law. To enable the petitioners to repay the amount in instalments as above, all coercive proceedings against them pursuant to Ext.P2 shall stand deferred. It will be open to the petitioners to approach the Society for the benefit of One Time Settlement Scheme.

The writ petition is disposed of.

Sd/-

**MURALI PURUSHOTHAMAN
JUDGE**

smp



APPENDIX OF WP(C) 5246/2025

PETITIONER EXHIBITS

EXHIBIT P1	THE TRUE COPY OF THE NOTICE DATED 14/03/2024 ISSUED BY THE RESPONDENT BANK TO THE 1ST PETITIONER
EXHIBIT P2	THE TRUE COPY OF THE AWARD DATED 24/06/2024 IN ARC NO.2260 OF 2024
EXHIBIT P3	THE TRUE COPY OF THE REPRESENTATION DATED 01/02/2025 SUBMITTED BY THE PETITIONERS TO THE RESPONDENT BANK