



2025:KER:31060

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. 6875 OF 2025

PETITIONER:

VARGHESE KURIAN
AGED 72 YEARS
S/O KURIAN(LATE), CHENNAMPILLIL HOUSE,CHARAL P.O.,
KILIYANTHARA VIA,IRITTY, KANNUR DISTRICT,KERALA,
PIN – 670 706.

BY ADVS.
JJI THOMAS
SMITHA MATHEW

RESPONDENTS:

- 1 SPECIAL SALE OFFICER
THALASSERY PCARD BANK GROUP, OFFICE OF THE JOINT REGISTRAR
OF CO-OPERATIVE SOCIETIES (GENERAL) KANNUR DISTRICT, KERALA,
PIN – 670 002.
- 2 MANAGER,IRITTY CO-OPERATIVE AGRICUTURAL AND RURAL
DEVELOPMENT BANK LTD
THULASSI MALABAR HEIGHT,IRITTY P. O, NEAR NEW BUS STAND.
IRITTY,KANNUR, PIN – 670 703.

BY ADV RAMEES P.K., STANDING COUNSEL.

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 petitioner from the Irrity Co-operative Agricultural and Rural Development Bank fell in arrears and recovery proceedings under the Kerala State Co-operative (Agricultural and Rural Development Banks) Act, 1984 were initiated against the petitioner. Ext.P1 is the sale notice. Pursuant to Ext.P1, the sale was conducted on 01.02.2025. Ext.P2 is the notice issued by the Sales Officer informing the petitioner that if the dues are not cleared within 30 days, the sale would be confirmed. Challenging Exts.P1 and P2, the petitioner has filed this writ petition.

2. This Court, on 21.02.2025, ordered that, the



confirmation of sale if any, conducted pursuant to Ext.P2 shall not be ordered for a period of one month.

3. When the writ petition came up for consideration today, the learned Counsel for the respondents, submitted that, as on 07.03.2025, an amount of Rs.19,13,878/- is outstanding in the loan account of the petitioner 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 is willing to pay an amount of Rs.2 lakhs on or before 30.04.2025 and the balance outstanding amount may be permitted to be paid in 15 equal monthly installments.



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

a) The petitioner shall pay an amount of Rs.2,00,000/- (Rupees Two lakhs only) on or before 30.04.2025 and the balance amount outstanding shall be paid along with accrued interest and applicable charges in 16 equal monthly instalments commencing from 01.06.2025

b) If the petitioner defaults payment of any of the amount/ instalments as aforesaid, it will be open to the respondents to proceed against him in accordance with law.



c) To enable the petitioner to pay the amount/ instalments as aforesaid, all coercive proceedings against the petitioner shall stand deferred.

Sd/-

MURALI PURUSHOTHAMAN

JUDGE

SRJ



APPENDIX OF WP(C) 6875/2025

PETITIONER'S EXHIBITS

EXHIBIT P1 A COPY OF THE SALE NOTICE DATED NIL.

EXHIBIT P2 A COPY OF THE DEMAND NOTICE DATED NIL.