



2025:KER:30366

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

MONDAY, THE 7TH DAY OF APRIL 2025 / 17TH CHAITHRA, 1947

WP(C) NO. 8708 OF 2025

PETITIONER:

SAJINI ANILKUMAR
AGED 45 YEARS
W/O. ANILKUMAR, CHARUVILA VEEDU,
KUTTARA, KULAKKADA EAST, KULAKKADA VILLAGE,
KOTTARAKARA, KOLLAM DISTRICT, PIN - 691 521.

BY ADVS.
K.V.ANIL KUMAR
RADHIKA S.ANIL
NIJAZ JALEEL

RESPONDENTS:

- 1 SPECIAL SALE OFFICER/ASSISTANT REGISTRAR
(GENERAL)
KULAKKADA SERVICE CO-OPERATIVE BANK GROUP,
OFFICE OF THE ASSISTANT REGISTRAR (GENERAL),
CO-OPERATIVE SOCIETY KOTTARAKARA,
KOLLAM DISTRICT, PIN - 691 506.
- 2 KULAKKADA SERVICE CO OPERATIVE BANK LTD.4299
REPRESENTED BY ITS SECRETARY,
THAZHATHU KULAKKADA P.O., KOLLAM DISTRICT,
PIN - 691 521.
- 3 THE SECRETARY
KULAKKADA SERVICE CO-OPERATIVE BANK LTD.
NO. 4299, THAZHATHU KULAKKADA P.O.,
KOLLAM DISTRICT, PIN - 691 521.

SRI. MARTHANDAN K.U.
SRI. V.K SUNIL - SR. GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 07.04.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:



JUDGMENT

The loan availed by the petitioner from the 2nd respondent Society fell in arrears. The Society initiated arbitration proceedings under the Kerala Co-operative Societies Act, 1969. Pursuant to the Award, Ext.P1 notice was issued to the petitioner. The petitioner has filed this writ petition for a direction to the respondents not to initiate any further proceedings pursuant to Ext.P1 including sale of her residential properties and to permit her to pay the due amount in twenty equal monthly installments.

2. Sri.Marthandan K.U, the learned counsel for the Society, on instructions, submits that, as



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on today (07.04.2025), an amount of Rs.4,38,123/- is outstanding in the loan account of the petitioner and the petitioner can be permitted to pay the said amount in reasonable installments.

3. The learned counsel for the petitioner submits that the petitioner may be permitted to pay the outstanding amount in twenty equal monthly installments.

4. In the facts and circumstances of the case, there will be a direction to the petitioner to pay the outstanding amount of Rs.4,38,123/- in twenty equal monthly installments commencing from 07.05.2025 along with accrued interest and applicable charges. If the petitioner defaults payment of any of the installments, it will be



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open to the Society to proceed against her for recovery of the amount, in accordance with law. To enable the petitioner to repay the amount in installments as above, all coercive proceedings against her pursuant to Ext.P1 shall stand deferred.

The writ petition is disposed of.

Sd/-

**MURALI PURUSHOTHAMAN
JUDGE**

SPR



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APPENDIX

PETITIONER'S EXHIBITS:-

EXHIBIT P1 A TRUE COPY OF THE NOTICE DATED 12.07.2023
ISSUED BY THE 1ST RESPONDENT IN THE NAME
OF THE PETITIONER.

RESPONDENT EXHIBITS: NIL.