



2025:KER:31591

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

THURSDAY, THE 10TH DAY OF APRIL 2025 / 20TH CHAITHRA, 1947

WP(C) NO. 8730 OF 2025

PETITIONER:

INDIRA KUMARI K.R
AGED 62 YEARS
W/O LATE DEVARAJA KAIMAL, RESIDING AT DARSANA
(KALLUVELIL), NEDUKUNNAM P.O, CHANGANASSERI, KOTTAYAM
DISTRICT,
PIN – 686 542.

BY ADVS.
P.PRIJITH
A.JANI(KOLLAM)

RESPONDENTS:

- 1 CHANGANACHERRY TALUK COOPERATIVE AGRICULTURAL AND
RURAL DEVELOPMENT BANK LTD
K119, KARUKACHAL BRANCH, KARUKACHAL P.O, CHANGANACHERRY
TALUK, KOTTAYAM DISTRICT, REPRESENTED BY ITS SECRETARY.,
PIN – 685 541.
- 2 SPECIAL SALE OFFICER
CHANGANACHERRY TALUK COOPERATIVE AGRICULTURAL AND
RURAL DEVELOPMENT BANK, NO. K 1119 , KARUKACHAL BRANCH,
KARUKACHAL P.O, CHANGANACHERRY TALUK, KOTTAYAM DISTRICT,
PIN – 685 541.
- 3 REGISTRAR OF COOPERATIVE SOCIETIES
OFFICE OF THE REGISTRAR OF COOPERATIVE SOCIETIES,
THIRUVANANTHAPURAM, PIN – 695 001.



**4 STATE OF KERALA
REPRESENTED BY ITS SECRETARY TO THE GOVERNMENT,
COOPERATION (B) DEPARTMENT, SECRETARIATE,
THIRUVANANTHAPURAM, PIN – 695 001.**

BY ADV V.N.SASIDHARAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10.04.2025,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**



JUDGMENT

The loan availed by the petitioner from the 1st respondent Society fell in arrears and the Society initiated recovery proceedings under the Kerala State Co-operative (Agricultural and Rural Development Banks) Act, 1984. Ext.P7 is the auction notice issued to the petitioner. Challenging Ext.P7, the petitioner has filed this writ petition.

2. This Court, on 06.03.2025, ordered that, if sale takes place pursuant to Ext.P7, its confirmation shall stand deferred for a period of one month. Subsequently, the said order was extended till 10.04.2025.

3. When the writ petition came up for consideration today, the learned Counsel for the Society,



submitted that, as on 31.03.2025, an amount of Rs.20,45,141/- is outstanding in the loan account of the petitioner and the petitioner can be permitted to pay the said amount in reasonable instalments.

4. The learned Counsel for the petitioner submits that the petitioner may be permitted to pay the outstanding amount in 20 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 the outstanding amount of Rs.20,45,141/- along with accrued interest and applicable charges in 20 equal monthly instalments commencing from 15.05.2025.

b) If the petitioner defaults payment of any of



the instalments, it will be open to the Society to proceed against her in accordance with law.

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

Sd/-

**MURALI PURUSHOTHAMAN
JUDGE**

SRJ



APPENDIX OF WP(C) 8730/2025

PETITIONER'S EXHIBITS

- EXHIBIT P1** A TRUE COPY OF THE MEMBERS STATEMENT DATED 02/09/2024 ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER.
- EXHIBIT P2** A TRUE COPY OF THE MEMBER'S STATEMENT DATED 02/09/2024 ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER.
- EXHIBIT P3** A TRUE COPY OF THE PASSBOOK REGARDING LOAN ACCOUNT NO. L 112/VFC ISSUED BY THE FIRST RESPONDENT REGARDING THE LOAN OF RS 4,50,000.00.
- EXHIBIT P4** A TRUE COPY OF THE PASSBOOK ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER REGARDING LOAN ACCOUNT NO. L 446/VCC FOR RS 10,00,000.00 (TEN LAKHS).
- EXHIBIT P5** A TRUE COPY OF THE PASSBOOK ISSUED BY THE FIRST RESPONDENT REGARDING LOAN ACCOUNT NO. 810/VCCS FOR RS 5,00,000.00 (FIVE LAKHS)
- EXHIBIT P6** A TRUE COPY OF THE PASSBOOK ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER REGARDING LOAN ACCOUNT NO. 1166/VNH FOR RS 2,00,000.00 (TWO LAKHS).
- EXHIBIT P7** A TRUE COPY OF THE NOTICE NO. SAC/79/23, 80/23, 81/23, 82/23 DATED 30/01/2025 ISSUED BY THE 2 ND RESPONDENT TO THE PETITIONER.

RESPONDENTS' EXHIBITS

- EXHIBIT R1 (a)** A TRUE COPY OF THE STATEMENT OF ACCOUNTS ISSUED FROM SINGAPORE SHIPPING COMPANY, DATED 04/04/2018.