



2025:KER:30364

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. 9060 OF 2025

PETITIONER:

SARATH CHANDRABOSE P.K
AGED 68 YEARS
S/O. KORUKUTTY, 17/384, PULIKATHARA HOUSE,
SRV SCHOOL, CHENTHRAPPINNI P.O,
THRISSUR, PIN - 680 687.

BY ADVS.
K.I.SAGEER
T.S.ABDUL KHADER
MUHAMMED YASIL

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY SECRETARY CO-OPERATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM,
PIN - 695 001.
- 2 SPECIAL SALE OFFICER/JUNIOR CO-OPERATIVE
INSPECTOR
OFFICE OF ASSISTANT REGISTRAR (GENERAL),
KODUNGALLOOR, THRISSUR, PIN - 680 684.
- 3 SECRETARY
CHENTHRAPPINNI SERVICE CO-OPERATIVE BANK LIMITED
NO.276, CHENTHRAPPINNI P.O, THRISSUR,
PIN - 680 687.

SMT. SNEHA RAJIV - SC

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



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JUDGMENT

The loan availed by the petitioner from the Chenthraappinni Service Co-operative Bank fell in arrears. Arbitration proceedings were initiated against the petitioner on commission of default in repayment. Pursuant to Ext.P1 Award, the 2nd respondent issued Ext.P2 notice prior to the attachment. The petitioner has filed this writ petition for a direction to the respondents to keep in abeyance the coercive proceedings under Ext.P2 and to permit him to clear off the overdue amount in thirty equal monthly installments.

2. Smt.Sneha Rajiv, the learned counsel for the Society, submits that, an amount of



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Rs.61,37,556/- 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.61,37,556/- 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 open to the Society to proceed against him for



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recovery of the amount, in accordance with law.
To enable the petitioner to repay the amount in installments as above, all coercive proceedings against him pursuant to Ext.P2 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 AWARD DATED 21.02.2022.
EXHIBIT P2	A TRUE COPY OF THE NOTICE DATED 03.02.2025 ISSUED BY THE 2ND RESPONDENT.
EXHIBIT P3	A TRUE COPY OF THE NOTICE DATED 15.03.2025 ISSUED BY THE 2ND RESPONDENT.

RESPONDENT EXHIBITS: NIL.