



2025:KER:13327

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

MONDAY, THE 17TH DAY OF FEBRUARY 2025 / 28TH MAGHA, 1946

WP(C) NO.8690 OF 2024

PETITIONER:

SUNOYI K P, AGED 39 YEARS, S/O. NANU,
KUNHIPARAMBATH (H), CHEEKKONNUMMAL (P.O),
KAKKATTIL (VIA), KOZHIKODE DISTRICT, PIN - 673507

BY ADV K.DILIP

RESPONDENTS:

THE KAKKATTIL CO-OPERATIVE RURAL BANK LTD
KAKKATTIL (P.O), KAKKATTIL, KOZHIKODE DISTRICT.
REP. BY IT'S SECRETARY, PIN - 673507

BY ADVS.
P.V.ANOOP
PHIJO PRADEESH PHILIP(K/1150/2010)
ANJU R S.(K/002806/2022)
K C MOHAMED RASHID(K/1341/2023)
ABIN BENNY(K/294/2022)
BIJITHA B. BOSE(K/002479/2023)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 17.02.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

**JUDGMENT**

The loan availed by the petitioner from the respondent Society fell in arrears on account of default in payment of installments and the Society initiated arbitration proceedings. Pursuant to the arbitration Award, Ext.P1 demand notice was issued to the petitioner. The petitioner has filed this writ petition challenging Ext.P1. The petitioner has also sought for a direction to the respondent to provide him reasonable opportunity to liquidate the liability in easy installments.

2. The learned counsel for the Society, on instructions, submits that, as on 16.01.2025, an amount of Rs.1,11,955/- is outstanding in the loan account of the petitioner and he can be permitted to pay the said amount in reasonable installments.

3. The learned counsel for the petitioner



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submits that the petitioner is a coolie worker and his parents are ailing and is in financial constraints and he may be permitted to pay the outstanding amount in 15 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.1,11,955/- in 15 equal monthly installments commencing from 03.03.2025 along with accrued interest and applicable charges.

5. If the petitioner defaults payment of any of the installments, it will be open to the Society to proceed against him 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 him pursuant to Ext.P1



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shall stand deferred.

The writ petition is disposed of.

Sd/-

**MURALI PURUSHOTHAMAN
JUDGE**

sp/18/02/2025



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APPENDIX OF WP(C) 8690/2024

PETITIONER EXHIBITS

Exhibit-P1

**A TRUE COPY OF THE DEMAND NOTICE ALONG
WITH THE INVENTORY LIST DATED 28/02/2024**