



2025:KER:14132

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

WEDNESDAY, THE 19TH DAY OF FEBRUARY 2025 / 30TH MAGHA, 1946

WP(C) NO. 42310 OF 2022

PETITIONERS:

- 1 SINDHU. B
 AGED 35 YEARS
 D/O. KESHAVAN, MULLAVILA HOUSE, , PALAYAMKUNNU
 P.O, CHEMMARUTHI VILLAGE, VARKALA TALUK
 THIRUVANANTHAPURAM, PIN - 695146
- 2 BHAVANI T
 AGED 80 YEARS
 D/O OF CHANDRAN, MULLAVILA HOUSE, , PALAYAMKUNNU
 P.O, CHEMMARUTHI VILLAGE, VARKALA TALUK
 THIRUVANANTHAPURAM 695146., PIN - 695146

BY ADV M.R.SARIN

RESPONDENTS:

- 1 THE CHEMMARUTHY SERVICE CO-OPERATIVE BANK,
 MELEVILA VELANKONAM ROAD, PANAYARA,
 THIRUVANANTHAPURAM REPRESENTED BY ITS SECRETARY,
 PIN - 695145
- 2 2. THE SPECIAL SALE OFFICER FOR ASSISTANT
 REGISTRAR/ ARBITRATOR OF THE CHEMMARUTHY SERVICE
 CO-OPERATIVE BANK
 MELEVILA VELANKONAM ROAD, PANAYARA,
 THIRUVANANTHAPURAM, PIN - 695145

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 19.02.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



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VIJU ABRAHAM, J.**W.P. (C) .No.42310 of 2022****Dated this the 19th day of February, 2025****JUDGMENT**

Petitioners have approached this Court seeking a direction to the respondents to grant 25 equal monthly installments for repayment of the entire amount due to the 1st respondent.

2. When the matter came up for consideration on 23.12.2022, this Court has issued an order of stay as prayed for on condition that the petitioners remit a sum of Rs.75,000/- within a period of one month.

3. It is seen that though notice was issued to the respondents, no process was paid. Therefore, no notice was sent to the respondents.

4. Taking into consideration the above facts and circumstances, I am not inclined to grant any reliefs to the petitioners. If the petitioners intend to pay the said amount due in installments



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and if steps for recovery has not been initiated by the Bank during the pendency of this writ petition, if the petitioners make a request in this regard for payment of the amount in equal monthly installments before the respondent Bank within a period of two weeks from the date of receipt of a copy of this judgment, the same shall be appropriately considered in accordance with law by the 1st respondent Bank within a period of three weeks thereafter, after affording an opportunity of being heard to the petitioners.

The writ petition is disposed of accordingly.

Sd/-
VIJU ABRAHAM, JUDGE

pm



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APPENDIX OF WP(C) 42310/2022

PETITIONER'S EXHIBITS

Exhibit P1 THE TRUE COPY OF THE AWARD PASSED 2ND
RESPONDENT IN ARC NO 1369/2022

Exhibit P2 THE TRUE COPY OF THE NOTICE ISSUED BY
THE 2ND RESPONDENT TO THE 1ST
PETITIONER ON 29.04.2022