



2025:KER:14701

WP(C) NO. 22067 OF 2024

1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

THURSDAY, THE 20TH DAY OF FEBRUARY 2025 / 1ST PHALGUNA,

1946

WP(C) NO. 22067 OF 2024

PETITIONER(S):

**MOHANKUMAR,
AGED 53 YEARS
S/O RAMAN KUTTY, MOOLACHIYIL HOUSE, CHELAKKODE
PO, THRISSUR DISTRICT, PIN - 680587**

**BY ADVS.
K.M.ANEESH
MANOJ SIMON**

RESPONDENT(S):

- 1 THALAPPALLY TALUK PRIMARY CO-OPERATIVE
AGRICULTURAL RURAL DEVELOPMENT BANK ,
LIMITED NO. 1354, VADAKKANCHERY , THRISUR
DISTRICT REPRESENTED BY ITS MANAGER, PIN -
680582**
- 2 SALE OFFICER,
THALAPPALLY TALUK PRIMARY CO-OPERATIVE
AGRICULTURAL RURAL DEVELOPMENT BANK, NO. 1354,
VADAKKANCHERY THRISSUR DISTRICT, PIN - 680582**

BY ADV Dilip J. Akkara

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 20.02.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**



JUDGMENT

The loan availed by the petitioner from the 1st respondent Society fell in arrears. The Society initiated recovery steps under the Kerala State Co-operative Agricultural and Rural Development Banks Act, 1984. Ext.P2 is the sale notice. Challenging Ext.P2, the petitioner has filed this writ petition.

2. This Court by order dated 20.06.2024, stayed the confirmation of sale pursuant to Ext.P2 on condition that the petitioner remits an amount of Rs.50,000/- within a period of two weeks. The petitioner has complied with the said direction.

3. The learned counsel for the Society on instructions, submits that, as on today, an amount of Rs.5,19,000/- is overdue in the loan account of the petitioner and the petitioner can be permitted to pay the said amount in reasonable installments.

4. The learned counsel for the petitioner submits that the petitioner may be permitted to pay the overdue amount in 15 equal monthly installments.

5. In the facts and circumstances of the case,



2025:KER:14701

WP(C) NO. 22067 OF 2024

3

there will be a direction to the petitioner to pay the overdue amount of Rs.5,19,000/- along with accrued interest and payable charges in 15 equal monthly installments commencing from 01.04.2025. The petitioner shall also pay regular EMIs along with the installments as above.

6. It is made clear that in case of default in payment of any single installment, the petitioner will lose the benefit of this judgment and the respondents can proceed with recovery steps in accordance with law.

Writ petition is disposed of.

**Sd/-
MURALI PURUSHOTHAMAN,
JUDGE**

GBG



2025:KER:14701

WP(C) NO. 22067 OF 2024

4

APPENDIX OF WP(C) 22067/2024

PETITIONER EXHIBITS

**Exhibit P1 TRUE COPY OF THE LOAN SANCTION LETTER
DATED 17-07-2018 ISSUED BY THE 1ST
RESPONDENT**

**Exhibit P2 TRUE COPY OF THE SALE NOTICE DATED 9-
05-2024 ISSUED BY THE 2ND RESPONDENT**