



WP(C) No.38061 of 2024

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2025:KER:26956

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN

THURSDAY, THE 27TH DAY OF MARCH 2025 / 6TH CHAITHRA, 1947

WP(C) NO. 38061 OF 2024

PETITIONER:

SHAHIR K.H
AGED 39 YEARS
S/O. HYDROSE, KURUPPAM VEETILL, PATHIYARKULANGARA,
CHAVAKKAD , THRISSUR, PIN - 680552

BY ADV E.V.MOLY

RESPONDENTS:

- 1 ARBITRATION AND EXECUTION INSPECTOR,
ASST.REGISTRAR (GENERAL) OFFICE ASSISTANT REGISTRAR
GENERAL OFFICE CHAVAKKAD P.O., THRISSUR DISTRICT, PIN -
680506
- 2 MULLASSERRY BLOCK PANCHAYATH MULTIPURPOSE CO-OPERATIVE
SOCIETY LTD NO.1202 REP. BY ITS SECRETARY
P.O.PUVATHOOR, THRISSUR, PIN - 680508

BY ADVS.
N.U.HARIKRISHNA
MITHUN BABY JOHN(K/1270/2012)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 27.03.2025, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

**JUDGMENT**

The loan availed by the petitioner from the 2nd respondent Society fell in arrears. The Society initiated recovery steps. Ext.P2 is the sale notice issued to the petitioner. Challenging Ext.P2, the petitioner has filed this writ petition. The petitioner has also sought for a direction to the 2nd respondent to permit him to settle the account as a one time measure and to enable a reasonable settlement of the liability.

2. The learned counsel for the 2nd respondent Society, on instructions, submits that an amount of Rs.6,36,874/- is outstanding in the loan account of the petitioner and the petitioner can be permitted to pay the said amount in reasonable instalments.

3. The learned counsel for the petitioner submits that the petitioner may be permitted to pay the said amount in 15 equal monthly instalments.

4. In the facts and circumstances of the case, there will be a direction to the petitioner to pay the outstanding amount in 15 equal monthly instalments commencing from



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02.05.2025, along with accrued interest and applicable charges.

If the petitioner defaults payment of any of the instalments, 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 instalments as above, all coercive proceedings against him pursuant to Ext.P2 shall stand deferred.

The writ petition is disposed of.

Sd/-

**MURALI PURUSHOTHAMAN
JUDGE**

smp



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APPENDIX OF WP(C) 38061/2024

PETITIONER EXHIBITS

Exhibit P1

**THE TRUE COPY OF THE JUDGMENT DATED
09.04.2024 IN WPC.NO.12537/2024**

Exhibit P 2

**THE TRUE COPY OF THE NOTICE DATED 20.09.2024
ALONG WITH FORM NO.9 RECEIVED BY THE
PETITIONER**