

**Ajayan vs Thumboor Multi Purpose Co-Operative Society Ltd**

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**SooperKanoon Citation :** [sooperkanoon.com/1315128](https://sooperkanoon.com/1315128)

**Court :** Kerala

**Decided On :** Mar-27-2024

**Judge :** Honourable Mr. Justice Devan Ramachandran

**Appeal No. :** WP(C)/9391/2024

**Appellant :** Ajayan

**Respondent :** Thumboor Multi Purpose Co-Operative Society Ltd

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN WEDNESDAY, THE 27TH DAY OF MARCH 2024 / 7TH CHAITHRA, 1946 PETITIONERS: 1 AJAYAN AGED 53 YEARS S/O NARAYANAN, THARAYIL HOUSE, THUMBOOR P O, KOTTANELLUR 2 MINI AGED 46 YEARS W/O. AJAYAN, THARAYIL HOUSE, THUMBOOR P O, KOTTANELLUR BY ADV C.K.RADHAKRISHNAN (CHALIL) RESPONDENTS: 1 THUMBOOR MULTI PURPOSE CO-OPERATIVE SOCIETY LTD NO.R1204 THUMBOOR SCB, KOTTANELLUR P O, THRISSUR, KERALA, PIN - 680662 2 SPECIAL SALE OFFICER, VATTANATHRA SCB GROUP, ASST. REGISTRAR (G) OFFICE, MUKUNDAPURAM, IRINJALAKUDA,

PIN - 680121 BY ADVS. T.R.HARIKUMAR ARJUN RAGHAVAN(K/1277/2012) THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27.03.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

## **JUDGMENT**

When this matter was called today, the learned Standing Counsel for the 1st respondent - Thumboor Multi Purpose Co-operative Society Ltd., submitted that the loan account of the petitioners involved in this case can be settled for a total amount of Rs.8,04,388/-, as on 19.03.2024, along with all applicable charges and interest, provided same is paid by them in not more than 8 equal monthly installments.

2. The learned counsel for the petitioner - Sri.C.K.Radhakrishnan, accepted the afore suggestion. Taking note of the afore submissions and in

### **order to obtain a balance between the rival**

interests of the parties, I allow this writ petition, permitting the petitioners to pay off the aforementioned amount, along with all applicable charges and interest, in 12 equal monthly installments commencing from 27.04.2024.

Needless to say, if the amounts as afore are paid by the petitioners, the account will stand closed and the Society will return to them all security documents as are necessary; but, if on the contrary, any two consecutive instalments are defaulted, the benefit of this judgment will be lost to them and the Society will be at full liberty to pursue further action pursuant to Ext.P1, without having to obtain further orders from this Court. It is also needless to say, therefore, that as long as the amounts as afore are paid, all further action pursuant to Ext.P1 will stand deferred.

Sd/- DEVAN RAMACHANDRAN SAS JUDGE APPENDIX OF WP(C) 9391/2024  
PETITIONERS EXHIBITS: Exhibit P1 THE TRUE COPY OF THE NOTICE,

DATED 07-09-2023, UNDER RULE 74TH SECTION (3) DEMAND NOTICE  
ATTACHMENT ORDER ISSUED BY THE 2ND RESPONDENT

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