

Suma Madhu vs the Manager

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Court : Kerala

Decided On : Apr-28-2023

Judge : Honourable Mr.Justice Murali Purushothaman

Appeal No. : WP(C)/14637/2023

Appellant : Suma Madhu

Respondent : The Manager

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE MURALI PURUSHOTHAMAN FRIDAY, THE 28TH DAY OF APRIL 2023 / 8TH VAISAKHA, 1945 WP(C) NO. 14637 OF 2023 PETITIONER/S: SUMA MADHU AGED 39 YEARS MELACHUVILA VEDU, SREE NAGAR - 115, THEKKEVILA CHERRY, MUNDAKKAL VILLAGE, ERAVIPURAM P.O, KOLLAM, PIN - 691011 BY ADV S.SREEKUMAR (KOLLAM) RESPONDENT/S: 1 THE MANAGER THE QUILON CO-OPERATIVE URBAN BANK LTD 960, YMCA ROAD, CHINNAKADA, KOLLAM, PIN - 691001 2 THE AUTHORIZED OFFICER THE QUILON CO-OPERATIVE URBAN BANK LTD 960, HEAD OFFICE, YMCA ROAD, CHINNAKADA,

KOLLAM, PIN - BY ADV D.P.RENU OTHER PRESENT: SMT. D. P
RENU -SC THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 28.04.2023, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING: -2-

MURALI PURUSHOTHAMAN, J.

===== W.P.(C)
No. 14637 of 2023
=====

Dated this the 28th day of April, 2023

JUDGMENT

The petitioner has availed a loan of Rs.28,00,000/- from the respondent Bank. Since the petitioner has defaulted in repayment of the same, Ext.P2 notice has been issued by the Advocate Commissioner stating that the secured assets will be taken possession of. Challenging Ext.P2 notice, the petitioner has filed this writ petition.

2. When the matter came up for consideration today,

Adv.Renu D.P., the learned counsel for the respondent bank, submits that the total amount outstanding as on today is Rs.3,38,849/- and the bank is willing to regularise the loan account if the petitioner pays the said amount in ten equal monthly instalments along with regular EMIs. The learned -3- counsel for the petitioner submits that the petitioner is ready to pay the aforesaid amount in ten instalments.

3. Accordingly, the writ petition is disposed of directing

the petitioner to pay Rs.3,38,849/- in ten equal monthly instalments, commencing from 15.05.2023 along with the regular EMIs. In case the petitioner makes any default in payment of any of the instalments, the bank will be free to proceed against the petitioner in terms of Ext.P2 notice. Sd/- MURALI PURUSHOTHAMAN
JUDGE das -4- APPENDIX OF WP(C) 14637/2023 PETITIONER EXHIBITS

Exhibit - P1 THE TRUE COPY OF THE RECEIPTS ISSUED BY THE FIRST RESPONDENT Exhibit - P2 A TRUE COPY OF THE ADVOCATE

COMMISSIONER'S NOTICE DATED 13.04.2023 ISSUED BY THE ADVOCATE COMMISSIONER IN M.C. NO: 250/2023 OF THE HON'BLE CHIEF JUDICIAL MAGISTRATE COURT, KOLLAM Exhibit - P3 A TRUE COPY OF THE REPRESENTATION DATED 20.04.2023 SUBMITTED BY THE PETITIONER BEFORE THE FIRST RESPONDENT

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