

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

THURSDAY, THE 14TH DAY OF DECEMBER 2023 / 23RD AGRAHAYANA, 1945

WP(C) NO. 41503 OF 2023

PETITIONER:

- 1 SURENDRAN V
AGED 61 YEARS
S/O VELAYUDHAN, S V HOUSE, CHENNASSERY LANE,
MARUTHAMKUZHI, KANJIRAMPARA P O, THIRUVANANTHAPURAM
DISTRICT, PIN - 695030
- 2 S JAYANTHI
AGED 56 YEARS
W/O SURENDRAN V, S V HOUSE, CHENNASSERY LANE,
MARUTHAMKUZHI, KANJIRAMPARA P O, THIRUVANANTHAPURAM
DISTRICT, PIN - 695030
BY ADVS.
T.K.ANANDA KRISHNAN
JANAKI KRISHNAN A

RESPONDENT:

- 1 KERALA STATE FINANCIAL ENTERPRISES (KSFE)
REPRESENTED BY ITS MANAGER, MEDICAL COLLEGE BRANCH,
MEDICAL COLLEGE P O, THIRUVANANTHAPURAM, PIN - 695003
- 2 SPECIAL DEPUTY TAHSILDAR (RR),
OFFICE OF THE SPECIAL DEPUTY TAHSILDAR (RR), KERALA STATE
FINANCIAL ENTERPRISES (KSFE), NEW TRIDA CENTER, 2ND
FLOOR, MEDICAL COLLEGE P O, THIRUVANANTHAPURAM DISTRICT,
PIN - 695003
BY ADV SRI SALIL NARAYANAN-SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
14.12.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

When this matter was called today, the learned Standing Counsel for the 1st respondent - Kerala State Financial Enterprises (KSFE) submitted that the loan account of the petitioners involved in this case can be settled for a total amount of Rs.20,53,807/-, as on 14.12.2023, along with all applicable charges and interest, provided same is paid by them in not more than 24 equal monthly installments.

2. The learned counsel for the petitioners - Sri.T.K.Ananda Krishnan, 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 24 equal monthly installments commencing from 25.01.2024.

Needless to say, if the amounts as afore are paid by the petitioners, the account will stand closed and the KSFE 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 KSFE will be at full liberty to pursue further action pursuant to Exts.P4 to P5(a), 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 Exts.P4 to P5(a) will stand deferred.

**Sd/-
DEVAN RAMACHANDRAN
JUDGE**

SAS

APPENDIX OF WP(C) 41503/2023

PETITIONER EXHIBITS

Exhibit P1	TRUE COPY OF THE RELEVANT PAGES OF THE CHITTY PASS BOOK OF THE 1ST PETITIONER WITH THE 1ST RESPONDENT
Exhibit P2	TRUE COPY OF THE RELEVANT PAGES OF THE CHITTY PASS BOOK OF THE 2ND PETITIONER WITH THE 1ST RESPONDENT
Exhibit P3	THE REPORT OF THE RENAL BIOPSY OF THE PETITIONER'S SON ISSUED BY THE AMRITHA INSTITUTE OF MEDICAL SCIENCES AND RESEARCH CENTRE. KOCHI 17/08/2023
Exhibit P3 (a)	THE TRUE COPY OF RADIO DIAGNOSIS REPORT OF THE PETITIONER'S SON ISSUED BY THE MEDICAL COLLEGE, THIRUVANANTHAPURAM DATED 30/10/2023
Exhibit P4	THE TRUE COPY OF THE FORM 1 DEMAND NOTICE ISSUED BY THE 2ND RESPONDENT TO THE 1ST PETITIONER DATED 14/08/2023
Exhibit P4 (a)	THE TRUE COPY OF THE FORM 10 DEMAND NOTICE BEFORE RECOVERY ISSUED BY THE 2ND RESPONDENT TO THE 1ST PETITIONER DATED 08/09/2023
Exhibit P5	THE TRUE COPY OF THE FORM 1 DEMAND NOTICE ISSUED BY THE 2ND RESPONDENT TO THE 2ND PETITIONER DATED 14/08/2023
Exhibit P5 (a)	THE TRUE COPY OF THE FORM 10 DEMAND NOTICE BEFORE RECOVERY ISSUED BY THE 2ND RESPONDENT TO THE 2ND PETITIONER DATED 08/09/2023