

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.T.SANKARAN
&
THE HONOURABLE MR. JUSTICE P.D.RAJAN

THURSDAY, THE 20TH DAY OF NOVEMBER 2014/29TH KARTHIKA, 1936

FAO.No. 333 of 2014 ()

ORDER DATED 31/10/2014 IN I.A.NO.3888/2014 IN O.S.NO.196/2014 BEFORE
THE SUB COURT, THIRUVANANTHAPURAM.

APPELLANT(S)/PLAINTIFFS:

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1. JOSH K GEORGE
S/O.GEORGE K.JOSEPH, RESIDING AT T.C.10/948(8)
MANNAMoola, PEROORKADA P.O.
THIRUVANANTHAPURAM. (REPRESENTED BY POWER
OF ATTORNEY HOLDER
THOMAS GEORGE, S/O.GEORGE K.JOSEPH
RESIDING AT T.C.10/948(8), MANNAMoola, PEROORKADA P.O.
THIRUVANANTHAPURAM.
 2. THOMAS GEORGE
S/O.GEORGE K.JOSEPH, RESIDING AT T.C.10/948(8)
MANNAMoola, PEROORKADA P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.B.KRISHNA MANI

RESPONDENT(S)/DEFENDANT:

MANILAL
S/O.BHASKARAN, RESIDING AT LAL BUILDING
KULATHOOR P.O., THIRUVANANTHAPURAM.

R1 BY ADV. SRI.M.C.MADHAVAN
R1 BY ADV. SRI.P.RAMESAN (KANIAPURAM)

THIS FIRST APPEAL FROM ORDERS HAVING BEEN FINALLY HEARD ON
20-11-2014, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

acd

K.T. SANKARAN & P.D. RAJAN, JJ.

F.A.O.No.333 of 2014

Dated this the 20th day of November, 2014

JUDGMENT

K.T. SANKARAN, J.

The order impugned in this appeal is an order by which the Court below dismissed the Interlocutory Application filed under Rule 5 Order XXXVIII of Code of Civil Procedure. As held in Saseendran v. Sadanandan [2003 (3) KLT 680], an appeal would not lie against that order.

Accordingly, we reject the appeal as not maintainable. The certified copy of the order produced in the F.A.O. shall be returned to the appellants to enable them to seek appropriate remedies before the appropriate Forum.

K.T. SANKARAN, JUDGE.

P.D. RAJAN, JUDGE.

