

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

MONDAY, THE 10TH DAY OF AUGUST 2015/19TH SRAVANA, 1937

OP(C).No. 1244 of 2012 (O)

CMA No. 17/2012 of DISTRICT JUDGE, THALASSERY

PETITIONER:

**N.P. SEENATH, AGED 33 YEARS,
W/O.HAMZA, 'SUHARA MANZIL',
ELAMBARA (PO), KEEZHALLOOR,
AMSOM, ELAMBARA DESOM,
THALASSERI TALUK.**

**BY ADVS.SRI.K.V.PAVITHRAN
SRI.JAYANANDAN MADAYI PUTHIYAVEETIL**

RESPONDENT:

**THITTAYIL ABDUL REFEEQUE, AGED 32 YEARS,
S/O.IBRAHIM, RESIDING AT 'THITTAYIL'HOUSE,
KEEZHUR AMSOM, PAYANCHERI DESOM, THALASSERY TALUK.**

**BY ADVS. SRI.ABRAHAM K.JOHN
SRI.P.K.BALAKRISHNAN
SMT.C.G.ARUNDHATHI**

**THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 10-08-2015, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:**

OP(C).No. 1244 of 2012 (O)

APPENDIX

PETITIONER(S)' EXHIBITS:

- EXHIBIT P1 : COPY OF THE PLAINT IN O.S.NO. 324/2011 OF THE MUNSIFF COURT, KUTHUPARAMBA.
- EXHIBIT P2 : COPY OF THE AFFIDAVIT ATTACHED TO I.A.NO.2333/2011 OF THE MUNSIFF COURT, KUTHUPARAMBA
- EXHIBIT P3 : COPY OF THE COUNTER IN I.A.NO.2333/2011 OF THE MUNSIFF COURT, KUTHUPARAMBA
- EXHIBIT P4 : COPY OF THE AFFIDAVIT FILED IN SUPPORT OF PETITION ALLEGING VIOLATION OF INJUNCTION.
- EXHIBIT P5 : COPY OF THE AFFIDAVIT FILED IN SUPPORT OF (I.A.NO.2577/2011) PETITION FOR MANDATORY INJUNCTION.
- EXHIBIT P6 : COPY OF THE ORDER IN I.A.NO.2333/2011 & I.A.NO. 2577/2011 DATED 19.12.2011 OF THE MUNSIFF COURT, KUTHUPARAMBA.
- EXHIBIT P7 : COPY OF THE ORDER IN I.A.NO.2376/2011 IN O.S.NO.330/2011, DATED 19.12.2011 OF THE MUNSIFF COURT, KUTHUPARAMBA.
- EXHIBIT P8 : COPY OF THE APPEAL MEMORANDUM IN CMA NO.17/2012 OF DISTRICT JUDGE, THALASSERY.
- EXHIBIT P9 : COPY OF THE INJUNCTION ORDER OF THE DISTRICT JUDGE, THALASSERY DATED 26.03.2012 MADE IN I.A.NO.1283/2012 IN CMA NO.13/2012.
- EXHIBIT P10 : COPY OF THE ORDER DATED 26.03.2012 MADE IN I.A.NO.1283/2012 IN CMA NO.17/2012.
- EXHIBIT P11 : COPY OF THE AFFIDAVIT FILED IN SUPPORT OF THE APPLICATION FOR ADVANCE THE HEARING OF THE CASE.
- EXHIBIT P12 : COPY OF THE COUNTER FILED IN I.A.NO.1283/2012 FILED BY THE RESPONDENT HEREIN.

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

PA TO JUDGE

SUNIL THOMAS, J.

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O.P.(C) No.1244/2012

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Dated this the 10th day of August, 2015

JUDGMENT

The learned counsel for the petitioner on instructions, submitted that the matter has become infructuous since the suit from which the impugned order arises is now listed for trial. This is recorded and O.P. is dismissed as not pressed.

SUNIL THOMAS
JUDGE

skr