

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P. BHAVADASAN

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 1936

OP(C).No. 12 of 2015 (O)

IA NO. 7700/2014 IN OS NO. 5043/2014 OF MUNSIFF COURT, IRINJALAKUDA

PETITIONER :

AYYAPPAN, AGED 48
S/O.VELAYUDHAN, POTTAKKAPARAMBIL HOUSE
KUZHIKATTUSSERY, THAZHEKAD VILLAGE
MUKUNDAPURAM THALUK, THRISSUR DISTRICT

BY ADVS.SRI.G.SREEKUMAR (CHELUR)
SRI.N.L.BITTO

RESPONDENT :

DELLY, AGED 31,
W/O.JOHNNY, ARIKKADAN HOUSE, ALOOR DESAM & VILLAGE
MUKUNDAPURAM TALUK, THRISSUR DISTRICT - 680001

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 06-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Mn

...2/-

OP(C).No. 12 of 2015 (O)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT.P1 A TRUE COPY OF THE PLAINT IN OS. 5043/2014 DATED 19-11-2014
FILED BY THE RESPONDENT BEFORE THE MUNSIFF'S COURT,
IRINJALAKUDA.**
- EXT.P2 A TRUE COPY OF COMMISSIONER REPORT IN IA 7061/2014 IN
OS 5043/2014 DATED 20/11/2014 BEFORE THE MUNSIFF COURT,
IRINJALAKUDA.**
- EXT.P3 A TRUE COPY OF THE MANDATORY INJUNCTION PETITION
IA 7700/2014 IN OS 5043/2014 DATED 15/12/2014 BEFORE THE
MUNSIFF'S COURT, IRINJALAKUDA.**
- EXT.P4 A TRUE COPY OF THE TIME EXTENSION PETITION IA 7887/2014 IN
OS 5043/2014 DATED 20-12-2014 BEFORE THE MUNSIFF'S COURT,
IRINJALAKUDA.**
- EXT.P5 A TRUE COPY OF THE EXECUTION PETITION OF MANDATORY
INJUNCTION, IA 36/2015 IN OS 5043/2014 DATED 1/1/2014 BEFORE THE
MUNSIFF'S COURT, IRINJALAKUDA**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.BHAVADASAN, J.

O.P.(C) No. 12 of 2015

Dated this the 06th day of January, 2015

J U D G M E N T

The grievance of the petitioner is that even though in spite of making request for issuance of a carbon copy of the order in I.A.No.7700/2014 in O.S.No.5043/2014 within the time stipulated under law, till date, the copy of the order has not been received by the petitioner. In the meanwhile, the mandatory injunction ordered is sought to be executed. The only prayer of the petitioner is that there may a direction to the Munsiff Court, Irinjalakkuda to issue carbon copy of the order in I.A.No.7700/2014 and till that carbon copy is issued, the operation of the mandatory injunction may be kept in abeyance.

2. In the light of the order that is proposed to be passed, it is felt that notice to the respondent is unnecessary.

This petition is disposed of directing the Munsiff Court, Irinjalakkuda to issue carbon copy of order in I.A.No. 7700/2014 in O.S.No.5043/2014 forthwith, at any rate, within a period of one week from the date of receipt of a copy of this judgment and for the said period, the mandatory injunction ordered shall be kept in abeyance.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge