

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

WEDNESDAY, THE 7TH DAY OF JANUARY 2015/17TH POUSHA, 1936

OP(C).No.28 of 2015 (O)

OS NO.492/2014 OF THE II ADDITIONAL MUNSIF COURT,ERNAKULAM.

PETITIONERS:

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1. **K.T.MATHEW,AGED 64 YEARS,
S/O.LATE K.M.THOMMAN,KIZHAVANA HOUSE,
VII/583 A,VIKAS NAGAR,KUNDANNOOR,
MARADU P.O,MARADU,PIN - 682 304.**
2. **K.SUKUMARAN,AGED 68 YEARS,
S/O.KESAVAN,RESIDING AT SOUPARNIKA,
II/73,VIKAS NAGAR,MARADU,MARADU P.O.
PIN -682 304.**
3. **PAUL SUDHAKAR,AGED 55 YEARS,
S/O.SUDHAKARAN,RESIDING AT PAVITHRAM,
X/543,VIKAS NAGAR,MARADU,MARADU P.O,
PIN - 682 304.**

**BY ADVS.SRI.A.BALAGOPALAN
SRI.A.RAJAGOPALAN
SRI.M.N.MANMADAN
SRI.M.S.IMTHIYAZ AHAMMED**

RESPONDENT:

**COCHIN SHIPYARD STAFF CO-OPERATIVE
HOUSE CONSTRUCTION SOCIETY,E.NO.346 LTD.
REPRESENTED BY ITS SECRETARY
JABEER K.A,PIN - 682 015.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 07-01-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

pk

OP(C).No.28 of 2015 (O)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P-1:TRUE COPY OF THE PLAINT IN O.S.NO.492/2014.

**EXT.P-2:TRUE COPY OF I.A.NO.3094/2014 IN O.S.NO.492/2014 ALONG WITH THE
AFFIDAVIT OF THE RESPONDENT.**

**EXT.P-3:TRUE COPY OF THE COUNTER AFFIDAVIT FILED BY THE PETITIONERS
IN EXHIBIT P2 APPLICATION.**

**EXT.P-4:TRUE COPY OF I.A.NO.7579/2014 IN O.S.NO.492/2014 SUPPORTED BY
THE AFFIDAVIT OF THE 1ST PETITIONER.**

**EXT.P-5:TRUE COPY OF THE JUDGEMENT PASSED IN WPC NO.22136/2014
DATED 31.10.2014.**

**EXT.P-6:TRUE COPY OF I.A.NO.10017/2014 IN O.S.NO.492/2014 SUPPORTED BY
THE AFFIDAVIT OF THE SECRETARY OF THE RESPONDENT SOCIETY
DATED 18.12.2014.**

**EXT.P-7:TRUE COPY OF THE SAID IA NO.10016/2014 IN O.S.NO.492/2014
SUPPORTED BY THE AFFIDAVIT OF THE SECRETARY OF THE
RESPONDENT SOCIETY DATED 18.12.2014**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

P.BHAVADASAN, J.

Original Petition (Civil) No.28 OF 2015

Dated this the 7th day of January, 2015.

J U D G M E N T

The limited prayer made by the petitioners at the time of hearing of the petition is that there may be a direction to the 2nd Additional Munsiff Court, Ernakulam to take up I.A.No.3094/2014 (Ext.P2) in O.S.No.492/2014 and dispose of it as expeditiously as possible.

2. It is unnecessary in the light of the limited prayer to go into the facts of the case in detail. The apprehension of the petitioners is that before disposal of the above application, if an order is passed in Exts.P6 and P7 applications, that may cause prejudice to them.

This original petition is disposed of directing the 2nd Additional Munsiff Court, Ernakulam to take up I.A.No.3094/2014 (Ext.P2) at the earliest and dispose of it as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment. It is

also directed that the consideration of Exts.P6 and P7 applications shall be deferred till an order is passed in Ext.P2 application.

Sd/-

P.BHAVADASAN
JUDGE

smp