

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. 35 of 2015 (O)

OS 441/2010 of PRL.MUNSIFF COURT, CHERTHALA

PETITIONERS:-:

1. KALYANI,
W/O.KRISHNAN, VALIA THARAYIL, VALAMANGALAM SOUTH MURI
THURAVOOR SOUTH VILLAGE.
2. KAMALASANAN,
S/O.KRISHNAN, VALIA THARAYIL, VALAMANGALAM SOUTH MURI
THURAVOOR SOUTH VILLAGE.
3. VALSALA,
D/O.KRISHNAN, VALIA THARAYIL, VALAMANGALAM SOUTH MURI
THURAVOOR SOUTH VILLAGE.
4. AJITHA,
D/O.KRISHNAN, VALIA THARAYIL, VALAMANGALAM SOUTH MURI
THURAVOOR SOUTH VILLAGE.

BY ADV. SRI.JOSHI N.THOMAS

RESPONDENTS:-:

1. PADMANABHAN,
S/O.ITTIANCHI, VALIA THARAYIL, VALAMANGALAM SOUTH MURI
THURAVOOR SOUTH VILLAGE-683572.
2. KERALA STATE DEVELOPMENT CORPORATION,
FOR SCHEDULED CASTE AND SCHEDULED TRIBE LTD., THRISSUR
REPRESENTED BY ITS SECRETARY, PIN-680001.

R2 BY ADV. SRI.C.K.JAYAKUMAR, SC, KSDC FOR SC ST

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

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1. TRUE COPY OF THE JUDGMENT DATED 31.01.2014 IN O.S.NO.441/2010 OF THE PRINCIPAL MUNSIFF COURT, CHERTHALA.
- EXHIBIT P2. TRUE COPY OF THE DECREE DATED 31.01.2014 IN O.S.NO.441/2010 OF THE PRINCIPAL MUNSIFF COURT, CHERTHALA.
- EXHIBIT P3. TRUE COPY OF THE MEMORANDUM OF UNNUMBERED APPEAL DATED 11.11.2014 FILED BEFORE THE SUB COURT, CHERTHALA.
- EXHIBIT P4. TRUE COPY OF THE PETITION NO.1057/2014 IN UNNUMBERED APPEAL FILED BEFORE THE SUB COURT CHERTHALA.
- EXHIBIT P5. TRUE COPY OF THE ORDER DATED 29.09.75 IN O.A.NO.166/75 OF THE LAND TRIBUNAL PATTANAKKAD.
- EXHIBIT P6. TRUE COPY OF THE PURCHASED CERTIFICATE DATED 27.05.1976 NO.64/76 IN O.A.166/75 OF LAND TRIBUNAL.
- EXHIBIT P7. TRUE COPY OF THE ORDER DATED 31.10.1989 IN O.A.166/76 OF THE LAND TRIBUNAL CHERTHALA.
- EXHIBIT P8. TRUE COPY OF TAX RECEIPT DATED 28.06.2014 ISSUED BY THE VILLAGE OFFICER, THURAVOOR SOUTH IN FAVOUR OF ITTIANCHI KRISHNAN AND PETITIONERS.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.BHAVADASAN, J.

Original Petition (Civil) No.35 OF 2015

Dated this the 7th day of January, 2015.

J U D G M E N T

Aggrieved by Exts.P1 and P2, the petitioners point out that they have filed Ext.P3 appeal and Ext.P4 delay condonation petition before the Sub Court, Cherthala.

2. The grievance of the petitioners is that the delay condonation petition filed along with the appeal now stands posted to 06.04.2015. The petitioners apprehend that if in the meanwhile further proceedings are taken in pursuance to the preliminary decree passed by the trial court, they may suffer injury.

3. It is for the petitioners to take such steps as are necessary to have the appeal and the delay condonation petition advanced for hearing.

This original petition is disposed of directing the Sub Court, Cherthala that in case the petitioners file an advance petition, that will be allowed and the appeal and the delay condonation

petition shall be posted to a near date and after hearing the matter, the same shall be disposed of within a period of one month from the date of hearing.

Sd/-

P.BHAVADASAN
JUDGE

smp