

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

THURSDAY, THE 8TH DAY OF JANUARY 2015/18TH POUSHA, 1936

OP(C).No. 43 of 2015 (O)

AS 91/2009 of SUB COURT, NEYYATTINKARA
OS 635/1981 OF ADDL.MUNSIFF COURT-1, NEYYATTINKARA

PETITIONER(S):

LAKSHMI CHELLAMMA,
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM.

BY ADVS.SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.
SRI. GOVIND PADMANABHAN

RESPONDENT(S):

1. SIVARAJAN
VRINDA NILAYAM, VENKADAMB DESOM, KULATHOOR PAKUTHY
UCHAKKADA P.O., NEYYATTINKARA, THIRUVANANTHAPURAM.
2. VASUDEVA PANICKER KUMARESAN
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
3. VASUDEVA PANICKER RAMESAN
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
4. VASUDEVA PANICKER AJITHKUMAR
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
5. CHELLAMMA VALSALA
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.

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6. CHELLAMMA LEELA
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
7. CHELLAMMA VASANTHAKUMARI
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
8. CHELLAMMA SOBHANAKUMARI
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
9. CHELLAMMA LATHAKUMARI
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
10. ANANDU MANDAKINI
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
11. MANDAKINI SYAMALA
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
12. NARAYANAN KRISHNANKUTTY
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
13. NARAYANAN SASI
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
14. MANDAKINI SREEKUMARI
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
15. MANDAKINI USHA
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
16. MANDAKINI SHEELA
KUMARAVILASOM BUNGLOW, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
17. RAGHAVAN KRISHNAN
KRISHNA MANDIRAM, KUZHINJAKALA, KEEZHAMMAKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
18. VELAYUDHAN SADANANDAN
VARUVILAKATHU PUTHEN VEEDU, KALLIYOOR, NEMOM
THIRUVANANTHAPURAM-695121.

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19. KALYANI THULASIBAI
SAROJA MANDIRAM, KUZHINJAKALA, CHENKAL VILLAGE
NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
20. BHANU GOPINATHAN
KOLLAMVILAKATHU VEEDU, KEEZHAMMKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
21. PARVATHY KALAMAKSHI
KUZHINJAKALA PUTHEN VEEDU, KEEZHAMMKAM DESOM
CHENKAL VILLAGE, NEYYATTINKARA, THIRUVANANTHAPURAM-695121.
22. KUNJUKRISHNAN NADAR HARIS
PANAVILAKATHU, MURUKAVILASOM BUNGLOW, VENKADAMPU DESOM
KULATHOOR PAKUTHY, THIRUVANANTHAPURAM-695121.
23. LAKSHMI ANAND
THIKKACHIVILA BUNGLOW, MACHIKKODU DESOM
CHENKAL PAKUTHY , THIRUVANANTHAPURAM-695121.
24. LAKSHMI CHELLAMMA
APPILIVILAKATHU VEEDU, MACHIKKODU DESOM
CHENKAL PAKUTHY, THIRUVANANTHAPURAM-695121.
25. LAKSHMI THULASI BIAR
CHOORAKKADU VADA BUNGALOW, MACHIKKODU DESOM
CHENKAL PAKUTHY, THIRUVANANTHAPURAM-695121.
26. VIMALA
ANI BHAVAN, KEEZHAMMAKAM DESOM, CHENKAL VILLAGE
THIRUVANANTHAPURAM-695121.
27. GIRIJA
ANI BHAVAN, KEEZHAMMAKAM DESOM, CHENKAL VILLAGE
THIRUVANANTHAPURAM-695121.
28. ANILKUMAR
ANI BHAVAN, KEEZHAMMAKAM DESOM, CHENKAL VILLAGE
THIRUVANANTHAPURAM-695121.
29. THAMARAKSHI SAROJAM
SAROJAM MANDIRAM, KIZHAKKUMKARA DESOM, CHENKAL VILLAGE
THIRUVANANTHAPURAM-695121.
30. DEVU RAJ @ SREEDHARAN DEVU
SAROJAM MANDIRAM, KIZHAKKUMKARA DESOM, CHENKAL VILLAGE
THIRUVANANTHAPURAM-695121.

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31. VISHNU
KUNNAKODU VEEDU, KEEZHAMMAKAM DESOM, CHENKAL VILLAGE
THIRUVANANTHAPURAM-695121.
32. LALITHA RADHAMONY
KUNNAKODU VEEDU, KEEZHAMMAKAM DESOM, CHENKAL VILLAGE
THIRUVANANTHAPURAM-695121.
33. RADHAMONY RAJALAKSHMI
KUNNAKODU VEEDU, KEEZHAMMAKAM DESOM, CHENKAL VILLAGE
THIRUVANANTHAPURAM-695121.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 08-01-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1. A TRUE COPY OF THE JUDGMENT DATED 21/11/2008 OF THE 1ST
 ADDL.MUNSIFF COURT, NEYYATTINKARA IN OS NO.635/1981.**
- EXT.P2. A TRUE COPY OF THE APPEAL MEMORANDUM IN AS 91/2009 FILED
 BEFORE THE SUB COURT, NEYYATTINKARA**
- EXT.P3. A TRUE COPY OF THE JUDGMENT DATED 24/7/2012 PASSED BY THIS
 HONOURABLE COURT IN FAO 28/2011.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.BHAVADASAN, J.

Original Petition (Civil) No.43 OF 2015

Dated this the 8th day of January, 2015.

J U D G M E N T

In spite of direction from this Court in F.A.O.No.28/2011 to take up and dispose of A.S.No.91/2009 by the Sub Court, Neyyattinkara, the petitioner's counsel informs this Court that nothing has been done in the matter and the appeal has not been disposed of so far.

2. Even though time granted by this Court to dispose of the appeal has expired, it is a sad reflection from Sub Court, Neyyattinkara in not complying with the order. If there is any hindrance in complying with the order, it should have been brought to the notice of this Court.

3. The limited prayer in this original petition is for a direction to dispose of A.S.No.91/2009 pending before the Sub Court, Neyyattinkara.

4. Considering the nature of averments in the petition especially the earlier order of this Court directing disposal of

A.S.No.91/2009, it is felt that it is only appropriate that Sub Court, Neyyattinkara be directed to dispose of the appeal at the earliest.

There will be a direction to the Sub Court, Neyyattinkara to take up A.S.No.91/2009 as early as possible and dispose of the same as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this judgment.

This original petition is disposed of as above.

Sd/-

P.BHAVADASAN
JUDGE

smp