

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

OP(C).No.55 of 2015 (O)

OS NO.252/2012 OF THE MUNSIF COURT,KOCHI.

PETITIONER:

**FLOWER,D/O.LATE LONAN,AGED 60 YEARS,
NILU VEEDU,LAKSHAMVEEDU ROAD,
KUMBALANGI VILLAGE,KUMALANGI DESOM,
KOCHI TALUK**

BY ADV. SMT.PUSHAKUMARI

RESPONDENT:

**JOSEPH,S/O.LATE EESSY,AGED 60 YEARS,
POLAPPARAMBILVEEDU,LAKSHAMVEEDU ROAD,
KOMBALANGI VILLAGE,KUMBALANGI DESOM,
KOCHI TALUK-682007.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 13-01-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

pk

OP(C).No.55 of 2015 (O)

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT-P1:PHOTOSTAT COPY OF THE PLAINT FILED BEFORE THE MUNSIFF'S COURT, KOCHI, (OS NO 252/2012.

EXHIBIT-P2:PHOTOSTAT COPY OF THE WRITTEN STATEMENT FILED IN O.S NO.252/2012 ON THE FILE OF THE LEARNED MUNSIFF'S COURT, KOCHI.

EXHIBIT-P3:PHOTOSTAT COPY OF THE CAUSE STATUES IN O.S NO.252/2012 ON THE FILE OF THE LEARNED MUNSIFF'S COURT, KOCHI.

EXHIBIT-P4:PHOTOSTAT COPY OF THE PRIVATE COMPLAINT VIZ C.M.P NO.4344/2014 FILED BY THE PETITION AND HER SISTER BEFORE THE LEARNED JUDICIAL MAGISTRATE OF FIRST CLASS COURT II, KOCHI DATED 14-11-2014.

EXHIBIT-P5:PHOTOSTATE COPY PRIVATE COMPLAINT VIZ C.M.P NO.4345/2014 FILED BY THE PETITIONER'S SISTER BEFORE THE LEARNED JUDICIAL MAGISTRATE OF FIRST CLASS COURT II, KOCHI DATED 14-11-2014.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

P. BHAVADASAN, J.

O.P.(C). No. 55 of 2015

Dated this the 13th day of January, 2015.

JUDGMENT

This is a petition filed under Article 227 of the Constitution of India seeking a direction from this Court to dispose of Ext.P1 suit as early as possible.

2. The suit is one for fixation of boundary. This Court is given to understand that a Commission has been issued, and according to the petitioner's counsel, though the Commissioner visited the property in 2010, till now the report has not been filed. In the last posting date also time was sought for and the matter is posted to 17.1.2015. According to the learned counsel, the matter is being unnecessarily dragged on causing lot of inconvenience and hardship to the petitioner before this Court.

In the light of the above submission, this Original Petition is disposed of directing the court below to ensure that the commission report is filed within a period of two months from the date of receipt of a copy of this judgment and dispose of the suit as expeditiously as possible, at any rate, within a period of six months thereafter.

P. BHAVADASAN,
JUDGE

sb.