

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

THURSDAY, THE 15TH DAY OF JANUARY 2015/25TH POUSHA, 1936

OP(C).No. 97 of 2015 (O)

I.A. NO.1975/2014 IN OS. NO.243/2012 OF PRINCIPAL MUNSIF COURT, KOCHI.

PETITIONERS/PETITIONERS/PLAINTIFFS:

- 1. K.K. KESAVAN, AGED 82 YEARS,
SON OF KRISHNAN, KUNNAMVEETIL,
CHERIYA PULLARA DESAM,
PALLURUTHY P.O., PIN -682 006, KOCHI.**
- 2. A.A. PUSHPAKARAN, AGED 84 YEARS,
SON OF AYYANKUNJU, ANIMALIPARAMBU,
VALIYA PULLARA DESAM, PALLURUTHY P.O.,
PIN- 682 006, KOCHI.**

**BY ADVS.SRI.V.M.KURIAN,
SRI.MATHEW B. KURIAN,
SRI.K.T.THOMAS,
LITTO PALATHINGAL.**

RESPONDENT/RESPONDENT/DEFENDANT:

**SREE DHARMA PARIPALANA YOGAM (SDPY),
SREE NARAYANA NAGAR, PALLURUTHY P.O.,
PINCODE-682 006, KOCHI, REPRESENTED BY ITS PRESIDENT.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 15-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

rs.

OP(C).No. 97 of 2015 (O)

APPENDIX

PETITIONER'S EXHIBITS:-

**EXHIBIT-P1: TRUE COPY OF THE PLAINT IN O.S.NO.243/2012 OF
MUNSIFF COURT, KOCHI.**

**EXHIBIT-P2: TRUE COPY OF THE WRITTEN STATEMENT IN O.S.NO.243/2012
OF MUNSIFF COURT, KOCHI.**

**EXHIBIT-P3: TRUE COPY OF THE JUDGMENT DATED 03.12.2013 IN
O.P.(C) NO.4160/2013.**

**EXHIBIT-P4: TRUE COPY OF THE APPLICATION, I.A.NO.1975/2014
DATED 20.10.2014 FILED BY THE PETITIONERS.**

**EXHIBIT-P5: TRUE COPY OF THE ORDER DATED 31.10.2014 IN I.A.NO.1975/2014
IN O.S.NO.243/2012 OF THE PRINCIPAL MUNSIFF COURT, KOCHI.**

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.A TO JUDGE

rs.

P.BHAVADASAN, J.

Original Petition (Civil) No.97 OF 2015

Dated this the 15th day of January, 2015.

J U D G M E N T

This Court by order dated 03.12.2013 disposed of O.P.(C) No.4160/2013 after making certain observations regarding re-opening of evidence and also fixing a time limit for trial and disposal of the suit. Subsequent to the said direction, it appears that the plaintiffs in the suit filed application to re-open the evidence. The petitioners-plaintiffs also filed Ext.P4 application before the court below seeking a certified copy of Membership Register which was produced by the defendants. The court below finding that the document is a voluminous one, declined the relief.

2. Learned counsel appearing for the petitioners points out that the petitioners are entitled to get a copy of the document produced before the court below.

3. After having bestowed anxious consideration to various aspects and also considering that the document is a voluminous

one, court below declined to grant the relief to the petitioners.

4. There seems to be no error in the order of the court below. Nothing prevents the petitioners from scrutinizing the document in the court below and examine the witnesses on that basis.

The original petition is without merits and it is accordingly dismissed.

Sd/-

**P.BHAVADASAN
JUDGE**

smp