

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

FRIDAY, THE 16TH DAY OF JANUARY 2015/26TH POUSHA, 1936

OP(C).No. 136 of 2015 (O)

**E.A.NO.68 OF 2013 IN E.P.NO16 OF 2013 IN O.S.NO.316 OF 2012 THE MUNSIFF'S
COURT, KATTAPPANA**

PETITIONER(S) :

**PUSHPAMMA, AGED 54 YEARS,
W/O.LATE JOSE, THAZHATHEDATHU HOUSE,
PACHADY KARA, KALKOONTHAL VILLAGE,
UDUMBANCHOLA TALUK.**

**BY ADVS.SRI.K.S.HARIHARAPUTHRAN
SRI.M.D.SASIKUMARAN
SRI.GEORGE MATHEW
SRI.SUNIL KUMAR A.G
SRI.DIPU JAMES**

RESPONDENT(S) :

**PAILY, AGED 64 YEARS,
S/O.PAILY, THAZHATHEDATHU HOUSE,
NEDUMKANDOM KARA, KALKOONTHAL VILLAGE,
UDUMBANCHOLA TALUK, IDUKKI- 686 007.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 16-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Msd.

OP(C).No. 136 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF JUDGMENT DATED 27.02.2013 IN O.S.NO.316 OF 2012
OF MUNSIFF'S COURT, KATTAPPANA.**

EXHIBIT P2: TRUE COPY OF I.A.NO.1903 OF 2013 DATED 06.11.2013.

EXHIBIT P3: TRUE COPY OF I.A.NO.1904 OF 2013 DATED 06.11.2013.

**EXHIBIT P4: TRUE COPY OF E.A.NO.68 OF 2013 IN E.P.NO.16 OF 2013
DATED 27.11.2013.**

EXHIBIT P5: TRUE COPY OF THE ABJECTION DATED 30.11.2013.

**EXHIBIT P6: TRUE COPY OF ORDER DATED 10.12.2014 IN E.A.NO.68 OF 2013 IN
E.P.NO.16 OF 2013.**

EXHIBIT P7: TRUE COPY OF OBJECTION DATED 06.12.2014 IN EXT.P2.

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.BHAVADASAN, J.

Original Petition (Civil) No.136 OF 2015

Dated this the 16th day of January, 2015.

J U D G M E N T

Misconceived and ill-advised petition filed before the execution court was rightly dismissed by the execution court.

2. Faced with the above situation, learned counsel appearing for the petitioner prayed that the petitioner may be given liberty to move appropriate court with appropriate application for getting necessary relief and till then execution of the decree may be deferred.

3. After having heard the learned counsel for the petitioner, it is felt that it is only proper to give liberty to the petitioner to move appropriate application before appropriate court for getting necessary reliefs and for doing so, proceedings in execution be kept in abeyance for a period of one month.

This original petition is disposed of reserving liberty to the petitioner to move appropriate court with appropriate application

for getting necessary reliefs and directing the execution court to keep the execution of decree in abeyance for a period of one month.

Sd/-

P.BHAVADASAN
JUDGE

smp