

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

MONDAY, THE 19TH DAY OF JANUARY 2015/29TH POUSHA, 1936

OP(C).No. 139 of 2015 (O)

E.P.NO.3/2013 IN O.S.NO.278/2008 OF SUB COURT, MAVELIKKARA.

PETITIONER:

STALEY MATHEW, MANNADIYIL HOUSE,
PALLIPADU, ALAPUZHA.

BY ADVS.SRI.R.KRISHNA RAJ
SRI.BIJITH S.KHAN

RESPONDENT(S):

1. RAVEENDRAN NAIR, SURAVI VEEDU,
PONNARAMTHOTTAM, MAVELIKKARA - 690 101.
2. SAMUEL MATHEW, ST.MARY'S COTTAGE,
MATTOM SOUTH, MAVELIKKARA - 690 101.
3. CAPITAL BANKERS
P.N.SAMUEL MEMMORIUM SHOPPING COMPLEX,
KOTTARCAVU, MAVELIKKARA - 690 101.
REP. BY ITS MANAGING DIRECTOR VARGHESE SAMUEL.
4. VARGHESE SAMUEL, PUTHEN VEEDU,
KOTTARCAVU, MAVELIKKARA - 690 101.
5. SANTHAMMA VARHGESE,
PUTHEN VEEDU, KOTTARCAVU, MAVELIKKARA - 690 101.
6. SUVARNAKUMARI, NADAYIL KUTTIYIL VARNIKALAYAM,
BHARANICAVU NORTH, KATTANAM, MAVELIKKARA - 690 101.
7. KANAKARAJ, NADAYIL KUTTIYIL VARNIKALAYAM,
BHARANICAVU NORTH, KATTANAM, MAVELIKKARA - 690 101.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 19-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

mbr/

OP(C).No. 139 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS:

P1- COPY OF THE RECEIPT DATED 26.08.2014.

P2- COPY OF THE RECEIPT DATED 16.09.2014.

P3- COPY OF THE OBJECTION FILED BY THE PETITIONER DATED NIL.

RESPONDENT(S)' EXHIBITS: - **NIL**

/TRUE COPY

P.S. TO JUDGE

mbr/

P.BHAVADASAN, J.

O.P.(C) No. 139 of 2015

Dated this the 19th day of January, 2015

J U D G M E N T

Out of an extent of 8.54 cents of property sold in court auction, the petitioner claimed that he purchased a portion of the property, to say, a little over 5 cents. The balance portion of the property was purchased by some other in respect of which two E.A.s are pending as E.A.Nos. 277/2014 and 357/2014 in E.P.No.3/2013 in O.S.No.278/2008.

2. The learned counsel appearing for the petitioner pointed out that because of the pendency of the two E.A.s which relates to the balance portion of the property, he is not able to complete the proceedings in respect of the sale in relation to the property which he has purchased. The petitioner also points out that he has paid 10 and odd lakhs for the property purchased by him in court auction. He therefore prays that there may be a direction to the court below for early disposal of the E.A.Nos. 277/2014 and

357/2014 so that the proceedings as against him could be finalized.

3. In the nature of order that is proposed to be passed in the petition, it is felt that notice to the respondents is unnecessary as none of their rights are prejudicially affected.

This original petition is disposed of directing the court below to take up E.A.Nos. 277/2014 and 357/2014 in E.P.No.3/2013 in O.S.No.278/2008 and dispose it of at the earliest, at any rate, within a period of two months from the date of receipt of a copy of this judgment.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge