

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. 149 of 2015 (O)

O.S.NO. 321/2012 OF SUB COURT, NEYYATTINKARA

PETITIONER(S):

**M/S.ISSOLA DE COCO HOLIDAYING PVT LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
DR.XAVIER MATHEW, S/O.MATHAI,AGED 57 YEARS, PARUTHIYOOR,
POOVAR P.O., TRIVANDRUM,
RESIDING AT EDAYKKATTUKUDIYIL HOUSE,
MUVATTUPUZHA TALUK, MARADI VILLAGE, MARADI P.O.**

**BY SRI.S.SREEKUMAR (SENIOR ADVOCATE)
ADVS. SRI.P.MARTIN JOSE
SRI.P.PRIJITH
SRI.THOMAS P.KURUVILLA
SRI.S.VAIDYANATHAN**

RESPONDENT(S) :

- 1. THE STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVERNMENT,
SECRETARIAT, THIRUVANANTHAPURAM.**
- 2. THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM DISTRICT, COLLECTORATE OFFICE,
KUDAPPANAKUNNU P.O., THIRUVANANTHAPURAM.**
- 3. THE DIRECTOR OF SURVEY & LAND RECORDS,
OFFICE OF THE DIRECTOR OF SURVEY LAND RECORDS,
VAZHUTHACAUD, THIRUVANANTHAPURAM-695 001.**
- 4. THE TALUK TAHASILDAR,
TALUK OFFICE, NEYYATTINKARA.**
- 5. THE VILLAGE OFFICER,
THIRUPURAM, NEYYATTINKARA.**

BY GOVERNMENT PLEADER SRI.REJI JOSEPH

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

Msd.

OP(C).No. 149 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1 : TRUE COPY OF PLAINT IN O.S. NO.321 OF 2012 FILED BY
THE PETITIONER BEFORE THE SUB COURT, NEYYATTINKARA.**

**EXHIBIT P2 : TRUE COPY OF WRITTEN STATEMENT IN O.S.NO.321/2012 FILED BY
THE 4TH RESPONDENT HEREIN BEFORE THE SUB COURT,
NEYYATTINKARA.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.BHAVADASAN, J.

O.P.(C) No. 149 of 2015

Dated this the 19th day of January, 2015

J U D G M E N T

This is a petition filed under Article 227 of the Constitution of India seeking for an early disposal of O.S.No.321/2012 pending before the Sub Court, Neyyattinkara.

2. The petitioner is the plaintiff in O.S.No.321/2012. The suit is one for declaration of title of the plaintiff over the plaint schedule property and other consequential reliefs. It is pointed out that pleadings are complete and the matter is ripe for trial. The petitioner points out that due to the pendency of the petition, irreparable loss and injury is caused to him and therefore there may be a direction to the court below to dispose of the suit at the earliest.

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

This petition is disposed of directing the Sub Court, Neyyattinkara to take up O.S.No.321/2012 pending before it at the earliest and dispose it of as expeditiously as possible, at any rate, within a period of six months from the date of receipt of a copy of this judgment, provided, no I.A.s are pending consideration and also the parties co-operate.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge