

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

OP(C).NO. 172 OF 2015 (O)

OS. NO.130/2012 OF MUNSIFF COURT, PERUMBAVOOR.

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PETITIONER/PLAINTIFF:

**MADHU, AGED 64 YEARS,
S/O.PRABHAKARAN, THOOMAYIL HOUSE,
BROADWAY ROAD, PERUMBAVOOR.**

**BY ADVS.SRI.P.THOMAS GEEVERGHESE,
SRI.TONY THOMAS (INCHIPARAMBIL).**

RESPONDENTS (DEFENDANTS 1 TO 4):

- 1. THE DISTRICT COLLECTOR, ERNAKULAM-682 030.**
- 2. DEPUTY COMMISSIONER,
SALES TAX DEPARTMENT, THEVARA,
ERNAKULAM-682 008.**
- 3. TAHSILDAR, KUNNATHUNADU TALUK,
PERUMBAVOOR-683 101.**
- 4. VILLAGE OFFICER, VENGOLA VILLAGE,
VENGOLA P.O., PERUMBAVOOR-683 110.**

BY GOVT. PLEADER SRI.REJI JOSEPH.

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 21-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

rs.

OP(C).NO. 172 OF 2015 (O)

APPENDIX

PETITIONER'S EXHIBITS:-

EXHIBIT P1: TRUE COPY OF PLAINT IN OS NO. 130/2012 ON THE FILES OF MUNSIFFS COURT, PERUMBAVOOR.

EXHIBIT P2: TRUE COPY ADDITIONAL WRITTEN STATEMENT FILED BY THE 3RD RESPONDENT IN OS NO.130/2012 OF MUNSIFFS COURT, PERUMBAVOOR.

EXHIBIT P3: TRUE COPY OF MINUTES OF DECISION OF DEPUTY COLLECTOR (RR), ERNAKULAM IN FILE NO.B10-44937 ON 10/10/2014.

EXHIBIT P4: THE COPY OF AFFIDAVIT AND PETITION (IA NO.150/2015) FILED BY THE RESPONDENTS ON 15.01.2015 IN OS.130/2012 OF MUNSIFFS COURT, PERUMBAVOOR.

RESPONDENT'S EXHIBITS:-

NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

P. BHAVADASAN, J.

O.P.(C). No. 172 of 2015

Dated this the 19th day of January, 2015.

JUDGMENT

The petitioner, who is hopeful of bringing out a settlement with the authorities concerned, seeks adjournment of the trial of the suit for a period of two months.

2. The petitioner has produced Ext.P3 document, as per which, according to the learned counsel for the petitioner, there is an arrangement arrived at between the persons liable to pay the amount along with the statutory authorities who have accepted in theory payment in respect of the proportionate share by the respective persons. It is also pointed out by the learned counsel that the settlement arrived at is being worked out and sometime may be granted to the petitioner to wipe off the amount due from him. Accordingly, it is pointed out that before paying off the

amount, if trial of the suit is commenced, it will cause irreparable loss and injury to the petitioner especially in the light of Ext.P3 produced by the petitioner.

3. The request seems to be reasonable. The trial of the suit shall stand adjourned for two months from today.

The Original Petition is disposed of as above.

sb.

P. BHAVADASAN,
JUDGE