

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

MONDAY, THE 2ND DAY OF FEBRUARY 2015/13TH MAGHA, 1936

OP(C).No. 216 of 2015 (O)

EP.NO.268/2014 IN RCP.135/2013 MUNSIFF COURT, ERNAKULAM
.....

PETITIONER(S):

**LAKSHMI,
W/O.DR.SURESH KUMAR, 36/248-A,
MEDWIN SPECIALTY LABORATORIES, LISIE HOSPITAL ROAD,
ERNAKULAM NORTH, ERNAKULAM - 682 018,
ERNAKULAM DISTRICT**

**BY ADVS.SRI.E.A.BIJUMON
SRI.AJEESH S.BRITE**

RESPONDENT(S):

**LEELAMMA ANTONY, AGED 64 YEARS,
W/O.VC.T.ANTONY, RESIDING AT 36/248 C,
LISIE HOSPITAL ROAD, ERNAKULAM NORTH,
ERNAKULAM - 682 018, ERNAKULAM DISTRICT.**

**BY ADVS. SRI.JIMMY JOHN VELLANIKARAN
SRI.SABU PULLAN
SRI.V.L.THOMAS**

**THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 02-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

OP(C).No. 216 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT. P1- TRUE COPY OF THE RCP NO. 135/2013 DATED 30.11.2013.

EXT. P2- TRUE COPY OF THE OBJECTION IN RCP NO. 135/2013 DATED 20.2.2014.

EXT. P3- TRUE COPY OF THE MEDICAL REPORT.

EXT. P4- TRUE COPY OF ORDER IN I.A.NO.5109/2014.

EXT. P5- TRUE COPY OF THE ORDER IN RCP.NO.135/2013 ON 2.8.14.

EXT. P6- TRUE COPY OF THE I.A.NO.7103/14 ON 20.9.14.

EXT. P7- TRUE COPY OF THE D.D. NO.125381 AND MEMO ON 20.9.2014.

EXT. P8- TRUE COPY OF THE RCA NO. 82/2014 ON 20.10.2014.

EXT. P9- TRUE COPY OF THE I.A NO.270/2015 RCA NO. 82/2014 ON 20.10.2014.

EXT. P10- TRUE COPY OF THE I.A. 25/2015 IN EP 268/14.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

P.BHAVADASAN, J.

O.P.(C) No. 216 of 2015

Dated this the 02nd day of February, 2015

J U D G M E N T

The learned counsel appearing for the petitioner pointed out that almost entire machinery has been transferred from the place in question and only a few items remain to be removed. He prays two days time to vacate the premises.

2. The learned counsel appearing for the respondent strongly opposed the petition in the light of the order in O.P. (R.C.)No.8/2015 whereby this Court had directed the petitioner to honour the undertaking given by him to the court below.

3. The learned counsel appearing for the petitioner prays for two days time to surrender the vacant possession.

Considering the various aspects, this petition is disposed of directing the petitioner to remove rest of the

materials on or before **04.02.2015** and hand over the vacant possession on **04.02.2015**.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge

P.BHAVADASAN, J.

O.P.(C) No. 216 of 2015

Dated this the 28th day of January, 2015

ORDER

It is submitted by the learned counsel appearing respondent that in the original petition, the relief sought for is a direction to the court concerned to consider the review application said to have been filed by the tenant to face the eviction. The learned counsel points out that today morning, the petition was taken up and dismissed.

Post the O.P.(C) tomorrow for disposal.

**P.BHAVADASAN
JUDGE**

ds