

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 27TH DAY OF JANUARY 2015/7TH MAGHA, 1936

OP(C)No. 219 of 2015 (O)

**O.S.NO.17 OF 2012 OF THE SUBORDINATE JUDGE'S COURT,
THIRUVALLA**

PETITIONERS-PETITIONERS-ADDITIONAL PLAINTIFFS 3,4,6 :

1. ALIYAMMA @ LEELAMMA,
D/O. JOHN, THEVARKATTILAYA PARUTHIYIL HOUSE,
KURIYANNUR MURI, KOLABHAGAM P.O.,
THOTTAPPUZHASSERI VILLAGE, THIRUVALLA TALUK.
2. MARIYAMMA @ SUSAN,
D/O. JOHN, THEVARKATTILAYA PARUTHIYIL HOUSE,
KURIYANNUR MURI, KOLABHAGAM P.O.,
THOTTAPPUZHASSERI VILLAGE, THIRUVALLA TALUK.
3. SOSAMMA @ KUNJUMOL,
D/O. JOHN, THEVARKATTILAYA PARUTHIYIL HOUSE,
KURIYANNUR MURI, KOLABHAGAM P.O.,
THOTTAPPUZHASSERI VILLAGE, THIRUVALLA TALUK.

**BY ADVS.SRI.SANTHOSH MATHEW
SRI.ARUN THOMAS
SRI.JENNIS STEPHEN
SRI.SATHISH NINAN**

**RESPONDENTS-RESPONDENTS & 3RD PETITIONER-PLAINTIFFS 1 & 2 &
DEFENDANTS 1, 6 & 7 & ADDL.5TH PLAINTIFF :**

1. JOSEPH P. JOHN,
S/O.JOHN, THEVARKATTILAYA PARUTHIYIL HOUSE,
KURIYANNUR MURI, KOLABHAGAM P.O.,
THOTTAPPUZHASSERI VILLAGE,
THIRUVALLA TALUK, PIN – 689 101.

2. MATHEW JOHN,
THEVARKATTILAYA PARUTHIYIL HOUSE,
KURIYANNUR MURI, KOLABHAGAM P.O.,
THOTTAPPUZHASSERI VILLAGE,
THIRUVALLA TALUK, PIN – 689 101.
3. KUNJAMMA JOHN,
THEVARKATTILAYA PARUTHIYIL HOUSE,
KURIYANNUR MURI, KOLABHAGAM P.O.,
THOTTAPPUZHASSERI VILLAGE,
THIRUVALLA TALUK, PIN – 689 101.
4. P.J.BABU ABRAHAM,
THEVARKATTILAYA PARUTHIYIL HOUSE,
KURIYANNUR MURI, KOLABHAGAM P.O.,
THOTTAPPUZHASSERI VILLAGE,
THIRUVALLA TALUK, PIN – 689 101.
5. BEENA ABRAHAM,
THEVARKATTILAYA PARUTHIYIL HOUSE,
KURIYANNUR MURI, KOLABHAGAM P.O.,
THOTTAPPUZHASSERI VILLAGE,
THIRUVALLA TALUK, PIN – 689 101.
6. ACHAMMA LAWRENCE @ OMANA RAJAN,
D/O. JOHN, THEVARKATTILAYA PARUTHIYIL HOUSE,
KURIYANNUR MURI, KOLABHAGAM P.O.,
THOTTAPPUZHASSERI VILLAGE,
THIRUVALLA TALUK, PIN – 689 101.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 27-01-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.(C)No.219 of 2015(O)

APPENDIX

PETITIONER(S)' EXHIBITS :-

**EXHIBIT P1 : TRUE COPY OF THE PLAINT IN O.S.NO.17 OF 2012 OF THE
SUB JUDGE'S COURT, THIRUVALLA.**

**EXHIBIT P2 : TRUE COPY OF THE WRITTEN STATEMENT FILED BY
DEFENDANTS 2 AND 5 IN O.S.NO.17 OF 2012 OF THE
SUB JUDGE'S COURT, THIRUVALLA.**

**EXHIBIT P3 : TRUE COPY OF I.A.NO.72 OF 2015 IN O.S.NO.17 OF 2012
OF THE SUB JUDGE'S COURT, THIRUVALLA.**

**EXHIBIT P3(A) : TRUE COPY OF I.A.NO.73 OF 2015 IN O.S.NO.17 OF 2012
OF THE SUB JUDGE'S COURT, THIRUVALLA.**

**EXHIBIT P4 : TRUE COPY OF I.A.NO.116 OF 2015 IN O.S.NO.17 OF 2012 OF
THE SUB JUDGE'S COURT, THIRUVALLA.**

RESPONDENT(S)' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

rkj

P.BHAVADASAN, J.

O.P.(Civil) No. 219 of 2015

Dated this the 27th day of January, 2015

JUDGMENT

The limited prayer in this writ petition under Article 227 of Constitution of India is for a direction to the Subordinate Judge's Court, Thiruvalla, to issue certified copy of the Order in I.A.No.116 of 2015 which was disposed of by the order dated 24.01.2015.

2. The petitioners were originally defendants who got themselves transposed as plaintiffs in the suit. After getting themselves transposed as plaintiffs, they moved an application for amendment seeking to incorporate additional facts. That application was dismissed on 24.01.2015.

3. The petitioners want to challenge the order as it is prejudicial to them. It is also pointed out that the suit stands included in the list for trial tomorrow, i.e. 28.01.2015. The petitioners pray that they may be granted some time to challenge the order.

4. In the nature of the order that is proposed to be

passed in this petition, notice to the respondents appears to be unnecessary.

5. This petition is disposed of directing the Subordinate Judge's Court, Thiruvalla, to issue a certified copy of order in I.A.No.116 of 2015 within a week from today provided they have applied for the same. The trial of suit shall stands adjourned by two weeks.

Sd/-
P.BHAVADASAN
JUDGE

rkj

//TRUE COPY//

P.A. TO JUDGE