

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

WEDNESDAY, THE 4TH DAY OF FEBRUARY 2015/15TH MAGHA, 1936

OP(C).No. 305 of 2015 (O)

(A.S. 32/2010 OF SUB COURT, NEYYATTINKARA)

PETITIONER:

RAYAPPAN NADAR DEVADAS,
RAJ ROSE BHAVAN, PARUTHALANIRA PUTHEN VEEDU
MURYANKARA DESOM, PARASSALA VILLAGE.

BY ADVS.SRI.M.BALAGOVINDAN
SRI.S.SHIBU KUMAR

RESPONDENTS:

1. MUTHAMMA NADATHI SWARNAMMA,
KARAKKAD PUTHUVAL PUTHEN VEEDU, MURYANKARA DESOM
PARASSALA VILLAGE - 695 502.
2. MUTHAMMA NADATHI BAI,
EDAYIVILAKATHU VEEDU, MEDUKUMMAL DESOM AND VILLAGE
VILAVANCODE TALUK, KANYAKUMARI DISTRICT - 629 175.
3. LALITHAMMA JOHN SELIN,
KUTTAMAVILA PUTHEN VEEDU
MARUTHAMCODE DESOM AND VILLAGE, PAVODE VILLAGE,
VILAVANCODE TALUK - 629 175.
4. JOHN SUSA,
KUTTAMAVILA PUTHEN VEEDU
MARUTHAMCODE DESOM AND VILLAGE, PAVODE VILLAGE
VILAVANCODE TALUK - 629 175.
5. JOHN SUNIL,
KUTTAMAVILA PUTHEN VEEDU
MARUTHAMCODE DESOM AND VILLAGE, PAVODE VILLAGE
VILAVANCODE TALUK - 629 175.
6. JOHN SISILY,
KUTTAMAVILA PUTHEN VEEDU
MARUTHAMCODE DESOM AND VILLAGE, PAVODE VILLAGE
VILAVANCODE TALUK - 629 175.

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7. JOHN ROSE NADAR,
KUTTAMAVILA PUTHEN VEEDU
MARUTHAMCODE DESOM AND VILLAGE, PAVODE VILLAGE
VILAVANCODE TALUK 629 175.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
04-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1. TRUE COPY OF THE ORDER IN I.A.464/2010 BEFORE THE SUB
COURT, NEYYATTINKARA DATED 15.06.2010.

EXHIBIT P2. TRUE COPY OF THE PROSECUTION PETITION IN I.A.2076/2011
BEFORE THE SUB COURT, NEYYATTINKARA.

RESPONDENT'S EXHIBITS: NIL.

// True Copy //

P.A. to Judge.

smp

P.BHAVADASAN, J.

Original Petition (Civil) No.305 OF 2015

Dated this the 4th day of February, 2015.

J U D G M E N T

This limited prayer in this original petition under Article 227 of the Constitution of India is for a direction to the Sub Court, Neyyattinkara to dispose of the prosecution petition namely, I.A.No.2076/2011 in A.S.No.32/2010 pending before the said court.

2. Prosecution petition has been filed on the ground that the respondents herein violated the order of injunction and they are liable for the same. The grievance is that the matter is being unnecessarily dragged on and that causes irreparable loss and injury to the petitioner. The petitioner therefore prays that there may be a direction to dispose of the petition.

3. In the nature of the order that is proposed to be passed, it is felt that notice to the respondents is unnecessary since no order prejudice to the respondents is being passed.

This original petition is disposed of directing the Sub Court, Neyyattinkara to take up I.A.No.2076/2011 in A.S.No.32/2010 and dispose it of after hearing both sides as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this judgment.

Sd/-

P.BHAVADASAN
JUDGE

smp