

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

THURSDAY, THE 5TH DAY OF FEBRUARY 2015/16TH MAGHA, 1936

OP(C).No. 325 of 2015 (O)

IA.1316/2014 IN OS 112/2011 of MUNSIF COURT, PARAPPANANGADI

PETITIONER(S)/PLAINTIFF:-:

**KUNNUMMAL AHAMEDKKUTY HAJI,
S/O.KUTTY HASSAN, KUNNUMMAL HOUSE
MOONNIYOOR AMSOM DESOM, CHUZHALI P.O.
TIRURANGADI TALUK, MALAPPURAM DISTRICT.**

BY ADV. SRI.JAMSHEED HAFIZ

RESPONDENT(S)/APPELLANT AND 1ST RESPONDENT:-:

- 1. PARUTHIKUNNAN THAHIR,
S/O.BEERANKUTTY, PARUTHIKUNNAN HOUSE
ULLALAM AMSOM DESOM, PALATHINGAL P.O., PIN - 676 306
TIRURANGADI TALUK, MALAPPURAM DISTRICT.**
- 2. THE SECRETARY,
PARAPPANANGADI GRAMA PANCHAYATH, PARAPPANANGADI P.O.
PIN - 676 303.**
- 3. THE PARAPPPANANGADI GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY, PARAPPANANGADI P.O.
PIN - 676 303, MALAPPURAM DISTRICT.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 05-02-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

OP(C).No. 325 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1. A TRUE COPY OF THE PLAINT IN O.S.112/2011 BEFORE THE MUNSIFF COURT PARAPPANANGADI DATED 28.05.2011.

EXHIBIT P2. A TRUE COPY OF THE APPLICATION FILED BY THE PETITIONER FOR TEMPORARY INJUNCTION, I.A.1316/2014 IN O.S.112/2011 BEFORE THE MUNSIFF COURT PARAPPANANGADI DATED 12.06.2014.

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P.BHAVADASAN, J.

O.P.(C) No. 325 of 2015

Dated this the 05th day of February, 2015

J U D G M E N T

The limited prayer made in this original petition is for a direction to the court below to take up and dispose of Ext.P2 application i.e. I.A.No. 1316/2014 in O.S.No. 112/2011 as expeditiously as possible.

2. The petitioner points out that in the suit he was constrained to file an interlocutory application in the light of fact that the defendants were engaging in construction which is detrimental to the petitioner. Under such circumstances, he had no option but to seek appropriate order from the court. Even though it was filed as early as in January, 2014, no orders have been passed in the petition. The petitioner says that he will be put to irreparable loss and injuries due to the non action on the part of the court below.

3. In the nature of the order that is proposed to be passed and since no right of the respondents is prejudicially

affected, it is felt that notice to the respondent is unnecessary.

This petition is disposed of directing the Munsiff Court, Parappanangadi to take up I.A.No. 1316/2014 in O.S.No. 112/2011 and dispose it of as expeditiously as possible, after hearing both the parties, at any rate, within a period of two months from the date of receipt of a copy of this judgment.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge