

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

OP(C).No. 342 of 2015 (O)

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OS. NO.465/2013 OF MUNSIF COURT, ATTINGAL.

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PETITIONER/PLAINTIFF:

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ABDUL RASHEED @ RASHEED,  
S/O.EBRAHIM KUNJU, AGED 66 YEARS,  
RESIDING AT L.R. MANZIL, PARAMBILPALAM,  
ANDOORKONAM DESOM AND VILLAGE,  
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.M.DINESH.

RESPONDENTS/DEFENDANTS:

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1. RAHUMA BEEVI, AGED 70 YEARS,  
D/O.PATHUMMAL BEEVI, RESIDING AT  
VEETTUVILAKATHU VEEDU, PARAMBILPALAM,  
ANDOORKONAM DESOM & VILLAGE,  
THIRUVANANTHAPURAM DISTRICT.
2. SAHEED, AGED 61 YEARS,  
D/O. PAPPUVAIDYAN, RESIDING AT REEJA MANZIL,  
NEAR PACHIRA YATHEEM KHANA, PALLICHA VEEDU MURI,  
PALLIPPURAM VILLAGE, THIRUVANANTHAPURAM DISTRICT.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 06-02-2015,  
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rs.

**APPENDIX**

**PETITIONER'S EXHIBITS:-**

- EXT.P1        TRUE COPY OF THE PLAINT IN O.S.465/2013 ON THE FILE OF THE  
MUNSIFF'S COURT, ATTINGAL.
- EXT.P2        TRUE COPY OF THE INJUNCTION PETITION FILED BY THE  
PETITIONER AS I.A.2498/2013 IN O.S.465/2013 ON THE FILE OF  
THE MUNSIFF'S COURT, ATTINGAL.
- EXT.P3        TRUE COPY OF THE PLAINT IN O.S.35/2013 ON THE FILE OF THE  
MUNSIFF'S COURT, ATTINGAL.
- EXT.P4        TRUE COPY OF THE WRITTEN STATEMENT FILED BY THE  
2ND RESPONDENT IN O.S.35/2013 ON THE FILE OF THE  
MUNSIFF'S COURT, ATTINGAL
- EXT.P5        TRUE COPY OF THE PLAINT IN O.S.36/2013 ON THE FILE OF THE  
MUNSIFF'S COURT, ATTINGAL
- EXT.P6        TRUE COPY OF THE WRITTEN STATEMENT IN O.S.36/2013 ON THE  
FILE OF MUNSIFF'S COURT, ATTINGAL
- EXT.P7        TRUE COPY OF THE COMMON ORDER IN I.A.246/2013 AND  
I.A.251/2013 IN O.S.35/2013 AND O.S.36/2013, RESPECTIVELY OF  
THE MUNSIFF'S COURT, ATTINGAL DATED 12.06.2013
- EXT.P8        TRUE COPY OF THE 'B' DIARY IN O.S.465/2013 OF MUNSIFF'S  
COURT, ATTINGAL.

**RESPONDENT'S EXHIBITS:-**

NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

**P. BHAVADASAN, J.**

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O.P.(C). No. 342 of 2015  
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Dated this the 6<sup>th</sup> day of February, 2015.

**JUDGMENT**

It is a sad state of affairs that in a suit filed in 2013, written statement is yet to be filed and the court is not insisting for the same even though the statutory period is over. The limited prayer in this petition is for a direction to the court below to complete the proceedings and dispose of the matter within a time limit to be fixed by this Court.

2. It is seen that the Commissioner appointed has not yet filed the report.

This Original Petition is disposed of with a direction to the court below to insist for the filing of the written statement and commission report within a time limit and thereafter dispose of the suit as expeditiously as possible, at any rate, within a period of six months from the date of the filing of the written statement. This direction

will not preclude the court below from considering any petition filed by the parties in accordance with law.

P. BHAVADASAN,  
JUDGE

sb.