

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

MONDAY, THE 9TH DAY OF FEBRUARY 2015/20TH MAGHA, 1936

OP(C).No. 360 of 2015 (O)

IA 1723/2014 AND IA NO. 1816/2014 IN OS 111/2014 of PRINCIPAL SUB COURT,
NORTH PARAVUR

PETITIONER :

SYAMALA RAJAGOPALAN, AGED 64 YEARS,
W/O.M.R.RAJAGOPALAN, HAVING ADDRESS AT FLAT NO.102,
PLOT NO.13, ANANDAM CHSL, SECTOR -2 THANE
NAVI MUMBAI AND PRESENTLY RESIDING AT FLAT NO.304
PLOT NO.3, DHYANEHWARICHS, SECTOR 7
VASHI, MUMBAI - 400 703.

BY ADVS.SRI.D.NARENDRANATH
SRI.M.HARISHARMA

RESPONDENTS :

1. SUNIL.K.S.,S/O.SUBRAHMANYAN,
KALLUNKAL HOUSE, ERUMATHALA P.O.,
4TH MILE, ALUVA - 683 112.
2. NELSON,
S/O.GOPURATHINKAL JOHNY, GOPURATHINKAL HOUSE,
PADINJARE KADUNGALLOOR P.O, ALANGAD VILLAGE,
PARAVUR TALUK, PIN - 683 110.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 09-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

bp

OP(C).No. 360 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: TRUE COPY OF O.S.NO.III OF 2014 PENDING BEFORE THE PRINCIPAL
SUB COURT, NORTH PARUR.

EXT.P2: TRUE COPY OF THE ATTACHMENT PETITION I.A.NO.1723/2014 IN
O.S.NO.III/2014 ON THE FILES OF THE PRINCIPAL SUB COURT, NORTH
PARUR.

EXT.P3: TRUE COPY INJUNCTION APPLICATION I.A.NO.1878/2014 IN
O.S.NO.III/2014 ON THE FILES OF THE PRINCIPAL SUB COURT, NORTH
PARUR.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE

bp

P. BHAVADASAN, J.

O.P.(C). No. 360 of 2015

Dated this the 9th day of February, 2015.

JUDGMENT

This is a petition filed under Article 227 of the Constitution of India seeking a direction to Sub court, North Parur to take up and dispose of Ext.P2 application, i.e., I.A. 1723 of 2014 in O.S. 111 of 2014 which is one for attachment of the plaint schedule property and I.A. 1878 of 2014 which is a petition seeking to restrain the defendants from alienating the property further.

2. The grievance of the petitioner is that the matter was heard on 14.1.2015 and after hearing both sides no orders have been passed and the case has been adjourned to 18.3.2015. If, in the meanwhile, further alienation of the property is allowed to take place, that will cause irreparable loss and injury to the petitioner and therefore, it is absolutely necessary that the petitions filed by the petitioners be disposed of at the earliest.

3. In the light of the order that is proposed to be passed in this Original Petition, it is felt that notice to the respondents is not necessary.

This Original Petition is disposed of directing Sub Court, North Parur to take up I.A. 1723 of 2014 and I.A. 1878 of 2014 on the next posting date and dispose of the applications in accordance with law after hearing both parties, if not already heard, as expeditiously as possible, at any rate, within a period of three months from today.

sb.

P. BHAVADASAN,
JUDGE