

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

WEDNESDAY, THE 11TH DAY OF FEBRUARY 2015/22ND MAGHA, 1936

OP(C).No. 383 of 2015 (O)

(E.P.57/04 IN LAR 277/83 OF 3RD ADDL. SUB COURT, ERNAKULAM)

PETITIONER:

MATHAI PAULOSE,
KEETTALIL HOUSE, PLAMUDI P.O., KOTHAMANGALAM,
REPRESENTED BY POWER OF ATTORNEY HOLDER K.P.SUBHASH
KEETTALIL HOUSE, PLAMUDI P.O., KOTHAMANGALAM.

BY ADVS.SRI.ABRAHAM P.GEORGE
SMT.M.SANTHY

RESPONDENT:

STATE OF KERALA
REPRESENTED BY THE DISTRICT COLLECTOR, ERNAKULAM
OFFICE AT CIVIL STATION, KAKKANAD-682030.

BY GOVERNMENT PLEADER SRI. REJI JOSEPH.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
11-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.(C) 383/2015

A P P E N D I X

PETITIONER'S EXHIBITS:

- EXT.P1 : COPY OF DECREE PASSED BY SUB COURT, ERNAKULAM
IN LAR 277/83 DTD. 30.9.86.
- EXT. P2 : COPY OF DECREE PASSED BY THIS COURT IN
LAA 195/87 AND CROSS APPEAL DTD. 19.3.96.
- EXT. P3 : COPY OF ORDER DTD.2.1.14.
- EXT. P4 : COPY OF ATTACHMENT PETITION WITH SCHEDULE FILED
BY PETITIONER/DECREE HOLDER IN E.P.

RESPONDENT'S EXHIBITS: NIL.

// True Copy //

P.A. to Judge.

smp

P.BHAVADASAN, J.

Original Petition (Civil) No.383 OF 2015

Dated this the 11th day of February, 2015.

J U D G M E N T

The limited prayer in this original petition is for a direction to the Sub Court, Ernakulam to take up and dispose of Ext.P4 application which is said to have been filed by the petitioner in pursuance to Ext.P3 order by which the balance amount due to the petitioner has been determined by the court below. The dispute arises out of the acquisition proceedings and it is seen that enhanced compensation was given by the court concerned. Suffice to say that, by Ext.P3, the court below arrived at the final amount due to the claimant as per the balance statement which is not objected to by the respondent. The court below directed the respondent to deposit the amount.

2. The grievance of the petitioner is that even after a long time, nothing has been done in the matter and the petitioner is not able to get the amount. The petitioner prayed for attachment as per Ext.P4 application and now that petition is not being

considered.

3. In the nature of the order that is proposed to be passed, it is felt that notice to the respondent is unnecessary.

This original petition is disposed of directing the Sub Court, Ernakulam to take up Ext.P4 application namely, E.P.No.57/2004 in L.A.R.No.277/1983 and dispose of the same as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment.

Sd/-

**P.BHAVADASAN
JUDGE**

smp