

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. 384 of 2015 (O)

(OS 148/2014 of MUNSIFF COURT, KAYAMKULAM)

PETITIONERS:

1. RAJAN,
S/O.YESODHARAN
RESIDING AT EDASSERIL KIZHAKKATHIL HOUSE, ERUVA MURI
PATHIYOOR VILLAGE, ALAPPUZHA DISTRICT.

2. SHEEJA
W/O.RAJAN, -DO-.

BY ADVS.SRI.R.RAJASEKHARAN PILLAI
SMT.SABINA JAYAN

RESPONDENTS:

1. JAYAPRAKASH
RESIDING AT ARAKAL HOUSE, ERUVA MURI
PATHIYOOR VILLAGE, ALAPPUZHA DISTRICT, PIN-690502.

2. RENUKA @ SHYMA, AGED 45,
W/O.JAYAPRAKASH, RESIDING AT -DO-.

3. AKHIL, AGED 23,
S/O.JAYAPRAKASH, -DO-.

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

OP(C).No. 384 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS :

EXT. P1 : TRUE COPY OF THE INJUNCTION APPLICATION FILED BY THE PETITIONERS IN OS 71/2013 BEFORE THE MUNSIFFS COURT KAYAMKULAM.

EXT. P2 : TRUE COPY OF THE COMMISSION REPORT FILED IN OS 71/13.

EXT. P3 : TRUE COPY OF THE ORDER PLAINT IN OS 148/2014 FILED BY THE PETITIONERS BEFORE THE MUNSIFFS COURT, KAYAMKULAM.

EXT. P4 : TRUE COPY OF THE IA FILED IN OS 148/14 FILED BY THE PETITIONER.

EXT. P5 : TRUE COPY OF THE COMMISSION REPORT FILED IN OS 148/14.

EXT. P6 : TRUE COPY OF THE WRITTEN STATMENT FILED BY THE RESPONDENTS IN OS 148/2014.

RESPONDENT(S)' EXHIBITS: NIL.

// True Copy //

P.A. To Judge.

smp

P.BHAVADASAN, J.

Original Petition (Civil) No.384 OF 2015

Dated this the 11th day of February, 2015.

J U D G M E N T

At the time of hearing of the petition, learned counsel appearing for the petitioners points out that there may be a direction to the Munsiff Court, Kayamkulam to dispose of either of the suits namely, O.S.No.71/2013 or O.S.No.148/2014 at the earliest.

2. It is submitted by the learned counsel for the petitioners that steps in both the suits are almost complete and they are ripe for trial but there is no order for joint trial.

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

This petition is allowed. Munsiff Court, Kayamkulam is directed to take up O.S.No.71/2013 and dispose of it on merits as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this judgment provided the parties co-operate. It is made clear that this order

will not preclude the court below from entertaining any application for any relief sought for by respective parties.

Sd/-

P.BHAVADASAN
JUDGE

smp