

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

FRIDAY, THE 20TH DAY OF FEBRUARY 2015/1ST PHALGUNA, 1936

OP(C).No. 452 of 2015 (O)

(OS 219/2008 of MUNSIF COURT, CHERTHALA)

PETITIONER/PLAINTIFF:

SARASWATHI AMMA, D/O. JANAKI AMMA,
HOUSEHOLD AFFAIRS, AGED 66 YEARS,
PUTHUKATTU HOUSE, C.M.C-15, KOKKOTHAMANGALAM VILLAGE,
CHERTHALA EAST MURI FROM MANNAPPADU, MARARIKKULAM MURI,
MARARIKKULAM NORTH VILLAGE.

BY ADVS.SRI.T.JAYAKRISHNAN
SRI.R.KRISHNAKUMAR (CHERTHALA)

RESPONDENT/3RD DEFENDANT:

RAMACHANDRA KURUP, S/O. PARAMESWARA KURUP,
PALAKKAL, MARARIKKULAM NORTH VILLAGE,
MARARIKKULAM P.O., CHERTHALA - 688 537.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
20-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A P P E N D I X

PETITIONER'S EXHIBITS:

- EXT. P1 : COPY OF PLAINT IN O.S.219/08 DTD. 19.12.07 OF
MUNSIFF COURT, CHERTHALA.
- EXT. P2 : COPY OF WRITTEN STATEMENT DTD. 21.7.08 FILED BY
RESPONDENT IN EXT. P1 SUIT.
- EXT. P3 : COPY OF COMMISSION REPORT AND PLAN OBTAINED IN
EXT. P1 SUIT DTD. 22.11.14.
- EXT. P4 : COPY OF MEMO FILED BY 3RD DEFENDANT REGARDING
PRODUCTION OF NINE DOCUMENTS.
- EXT. P5 : COPY OF PETITION FILED BY 3RD DEFENDANT TO
ACCEPT THE DOCUMENTS PRODUCED VIDE EXT.P4
MEMO AND ALSO THREE DOCUMENTS PRODUCED ALONG
WITH THE PETITION DTD. 6.2.15.
- EXT. P6 : COPY OF I.A.630/15 DTD. 9.2.15 IN O.S.219/08.
- EXT. P7 : COPY OF OBJECTION FILED BY 3RD DEFENDANT
DTD. 10.2.15 TO I.A.630/15.
- EXT. P8 : COPY OF I.A.667/15 (COMMISSION APPLICATION FILED
BY PLAINTIFF) DTD. 11.2.14.

RESPONDENT'S EXHIBITS: NIL.

// True Copy //

P.A. To Judge.

smp

P.BHAVADASAN, J.

Original Petition (Civil) No.452 OF 2015

Dated this the 20th day of February, 2015.

J U D G M E N T

The limited prayer made at the time of hearing of the original petition is for a direction to the Munsiff Court, Cherthala to issue carbon copies of the orders passed on Exts.P6 and P8 applications whereby the petitioner had sought for issuance of a commission to measure the property in the light of the fact that after the examination of PW1 was over, defendant had produced nearly 12 documents which, according to the petitioner, may cause prejudice to her and therefore, it was necessary for her to clear the situation. That petitions were dismissed by the court below.

2. Learned counsel appearing for the petitioner pointed out that the petitioner came to know that it was necessary to seek additional report in the light of the fact that the documents were produced subsequent to the examination of PW1 and that necessitated filing of the above petitions. Learned counsel prays

that there may be a direction to issue carbon copies of the orders on Exts.P6 and P8 so that the petitioner can pursue her remedies.

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 Munsiff Court, Cherthala to issue carbon copies of the orders on Exts.P6 and P8 petitions at the earliest, at any rate, within a period of one week from the date of receipt of a copy of this judgment. Trial of the suit shall stand deferred for a period of ten days.

Sd/-

**P.BHAVADASAN
JUDGE**

smp