

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 24TH DAY OF FEBRUARY 2015/5TH PHALGUNA, 1936

OP(C).No. 489 of 2015 (O)

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(O.S 100/1983 of PRINCIPAL SUB COURT, PALAKKAD)

PETITIONER:

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SASI, S/O. CHAMIYAR, AGED 44 YEARS,  
MENONPARA, VADAKARAPATHY, CHITTUR TALUK,  
PALAKKAD.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS:

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1. MADHAVI, D/O. APPU, WALAYAR, PUDUSSERY,  
PALAKKAD - 678 007.
2. MADHAVAN, S/O. APPU, MENONPARA,  
VADAKARAPATHY, CHITTUR TALUK,  
PALAKKAD DISTRICT - 678 101.
3. PONNUKUTTY, W/O. CHAMIYAR, MENONPARA,  
VADAKARAPATHY, CHITTUR TALUK,  
PALAKKAD DISTRICT - 678 101.
4. VICHUMANI, S/O. CHAMIYAR, MENONPARA,  
VADAKARAPATHY, CHITTUR TALUK,  
PALAKKAD DISTRICT - 678 101.
5. BABY, S/O. CHAMIYAR, MENONPARA,  
VADAKARAPATHY, CHITTUR TALUK,  
PALAKKAD DISTRICT - 678 101.
6. CHANDRAN, S/O. VELAYUDHAN,  
AGED 44 YEARS, 100 FT ROAD,  
MATTUMANTHA, PUTHUR AMSOM,  
PALAKKAD - 678 005.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON  
24-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.(C) 489/2015

A P P E N D I X

PETITIONER'S EXHIBITS:

EXT. P1 : COPY OF EXECUTION APPLICATION No.799/2012 IN  
E.P.No.22/2002 OF COURT OF SUBORDINATE JUDGE OF  
PALAKKAD.

RESPONDENT'S EXHIBITS: NIL.

// True Copy //

P.A. to Judge.

smp

**P.BHAVADASAN, J.**

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**Original Petition (Civil) No.489 OF 2015**  
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**Dated this the 24<sup>th</sup> day of February, 2015.**

**J U D G M E N T**

The limited prayer in this original petition under Article 227 of the Constitution of India is for a direction to the court below to issue carbon copy/certified copy of the order passed in E.A.No.799/2012 in E.P.No.22/2002 in O.S.No.100/1983 whereby the court below dismissed the application filed by the petitioner under Section 47 of the Code of Civil Procedure.

2. The petitioner points out that even though on the date of order itself, he applied for carbon copy/certified copy of the order, he has not received the same in spite of passage of time. In the meanwhile, it is pointed out that the matter stands posted for delivery on 28.02.2015. The petitioner prays that there may be a direction to the court below to issue carbon copy/certified copy of the order mentioned above and till the copy is served on him, delivery may be adjourned.

3. After having heard the learned counsel for the petitioner and also after having bestowed attention to various facts and circumstances of the case, in the nature of the order that is proposed to be passed, it is felt that notice to the respondents is unnecessary.

This original petition is allowed. The Principal Subordinate Judge, Palakkad is directed to issue certified copy/carbon copy of the order made mention of earlier within a period of one week from the date of receipt of a copy of this judgment. The delivery shall stand adjourned for a period of two weeks.

Sd/-

**P.BHAVADASAN  
JUDGE**

smp