

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

MONDAY, THE 9TH DAY OF MARCH 2015/18TH PHALGUNA, 1936

OP(C).No. 509 of 2015 (O)

O.S.NO.247/2005 OF PRINCIPAL SUB COURT, KOLLAM

PETITIONER(S) :

1. SANATHANAN PILLAI, AGED 56 YEARS,
S/O.KUTTAN PILLAI, THANKAM NIVAS, CHIRAKKARA P.O., KOLLAM.
2. MANOHARAN PILLAI, AGED 55 YEARS,
S/O.MADHAVAN PILLAI, CHARUVILAPUTHEN VEEDU, EDAVATTAM,
CHIRAKKARA P.O., KOLLAM.
3. RAMACHANDRAN PILLAI, AGED 65 YEARS,
S/O.GOPALA PILLAI, CHANDRA VILASAM, EDAVATTAM,
CHIRAKKARA P.O., KOLLAM.

BY ADV. SRI.K.P.SREEKUMAR

RESPONDENT(S) :

1. RAJ MOHANA KURUP, AGED 62 YEARS,
M.K.SADANAM, KULATHOORKONATHUCHERI, CHIRAKKARA P.O.,
KOLLAM-691 578.
2. SATHEESHA KURUP, AGED 53 YEARS,
KUNNILPUTHEN VEETIL, EDAVATTATHU CHERIYIL, CHIRAKKARA,
KOLLAM-691 578.
3. UDAYA KURUP, AGED 41 YEARS,
MUDIYIL MELETHIL, CHIRAKKARA P.O., KOLLAM-691 578.
4. RAMACHANDRAN KURUP, AGED 54 YEARS,
THEKKEVILA, EDAVATTOM, CHIRAKKARA P.O., KOLLAM-691 578.
5. PRAKASH KURUP, AGED 49 YEARS,
POYIKAVILA VEEDU, EDAVATTOM, CHIRAKKARA P.O., KOLLAM-691 578.
6. SUNDARESA KURUP, AGED 50 YEARS,
MANARAM KUNNU, EDAVATTOM, CHIRAKKARA P.O., KOLLAM-691 578.
7. CHANDRASEKHARA KURUP, AGED 69 YEARS,
LAKSHMI NIVAS, EDAVATTOM CHERI, CHIRAKKARA P.O., KOLLAM-691 578.
8. JANARDANA KURUP , AGED 71 YEARS,
ANITHA BHAVAN, EDAVATTOM, CHIRAKKARA P.O., KOLLAM-691 578.

..2/-

OP(C).No. 509 of 2015 (O)

9. PRABHAKARA KURUP, AGED 73 YEARS,
PRABHALAYAM, KULATHOORKONAM, PUTHENKULAM P.O.,
KOLLAM-691 578.
10. GANAPATHI , AGED 46 YEARS,
KUNNILPUTHEN VEEDU, CHURAKKARATHAZHAM, CHIRAKKARA P.O.,
KOLLAM-691 578.
11. MOHANA KURUP , AGED 50 YEARS,
THOTTATHIL, CHIRAKKARA P.O., KOLLAM-691 578.
12. GOPALAKRISHNA KURUP, AGED 68 YEARS,
KALLUMPURATHU (THEKKEVILA), CHIRAKKARATHAZHAM,
CHIRAKKARA P.O., KOLLAM-691 578.
13. RAVEENDRA KURUP, AGED 59 YEARS,
ALUMOOTIL, PARAVUR P.O., KOLLAM-691 578.
14. SURESH KURUP, AGED 44 YEARS,
THUDAZHIKATHU VEEDU, CHIRAKKARA P.O., KOLLAM-691 578.
15. HARISH, AGED 36 YEARS,
PLAVILA VEEDU, CHIRAKKARA P.O., KOLLAM-691 578.
16. SHAJI, AGED 41 YEARS,
SREEKRISHNA VILASOM, CHIRAKKARA P.O., KOLLAM-691 578.
17. MOHANA KURUP, AGED 61 YEARS,
MULLUVILAYIL VEEDU, KULATHOORKONAM, CHIRAKKARA,
KOLLAM-691 578.
18. APPUKUTTAN PILLAI, AGED 57 YEARS,
S/O. SANKU PILLAI, MUDIYEL HOUSE, IDAVATTOM,
CHIRAKKARA P.O., KOLLAM-691 578.
19. C.GOPALAKRISHNA PILLAI, AGED 61 YEARS,
S/O.CHELLAPPA KURUP, KRISHNALAYAM, EDAVATTOM,
CHIRAKKARA P.O., KOLLAM-691 578.
20. P.SANKARA PILLAI, ADVOCATE,
KOLLAM. (RECEIVER APPOINTED IN O.S.NO.247 OF 2005 ON
THE FILE OF THE PRINCIPAL SUB COURT, KOLLAM).

R1,R2,R4,R5,R7-R9,R11-R13,R14,R15-R17,R19 BY ADVS. SRI.B.ASHOK SHENOY
SRI.P.S.GIREESH
SMT.C.G.PREETHA
SRI.K.V.GEORGE
SRI.P.N.RAJAGOPALAN NAIR

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 09-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP(C).No. 509 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 : TRUE COPY OF THE ORDER DATED 12.04.2013 IN I.A.NO.937 OF 2013 PASSED BY THE SUB COURT, KOLLAM.**
- P2 : TRUE COPY OF THE PETITION I.A.NO.418 OF 2015 FILED BY THE PETITIONERS BEFORE THE SUB COURT, KOLLAM.**
- P3 : TRUE COPY OF THE I.A.NO.454 OF 2015 ON 24.02.2015 FILED BY THE PETITIONERS BEFORE SUB COURT, KOLLAM.**
- P4: TRUE COPY OF THE I.A.596 OF 2015.**
- P5: TRUE COPY OF THE MEMO BY WHICH COPY WAS SERVED ON THE OPPOSITE SIDE.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

P. BHAVADASAN, J.

O.P.(C). No. 509 of 2015

Dated this the 9th day of March, 2015.

JUDGMENT

This Original Petition can be disposed of on a short ground.

2. This Original Petition was filed under the circumstances when the suit was dismissed and the Receiver was sought to be discharged. The plaintiffs, who were aggrieved by the dismissal of the suit and the order discharging the Receiver, applied for carbon copy of the respective orders. When the copy was received, it was noticed that the order did not contain the names of all the respondents. The order received had to be returned to incorporate the names of all the respondents.

3. When this Court was approached by the petitioner stating that they had not received copy of the orders sought for by them and praying that until those

copies are issued, the decree may be kept in abeyance, this Court was pleased to keep the proceedings in abeyance for three weeks.

4. Shri. Ashok B. Shenoy appearing for the respondents points out that the proceedings now stands posted to 18.3.2015.

5. Shri.K.P.Sreekumar, learned counsel appearing for the petitioners submits that by that time if the petitioners do not get copies of the order, again they will be put to difficulties.

This Original Petition is disposed of directing the court below to make available a carbon copy of the order with complete cause title within ten days from today and operation of the order of the court below shall be kept in abeyance for a further period of fifteen days.

sb.

P. BHAVADASAN,
JUDGE