

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

OP(C).No. 566 of 2015 (O)

PETITIONER(S) :

1. SEBI,
S/O. THOMAS,
VELUKKARAN HOUSE,
P.O. MUNDUR
THRISSUR.
2. LORANCE,
S/O. PAULOSE,
ALAPPAD HOUSE,
P.O. MUNDUR
THRISSUR.
3. JOSE,
S/O. KUNHU VAREED,
ALAPPAD HOUSE, P.O. MUNDUR
THRISSUR.
4. RAVI
S/O. CHAMI,
PADINJARENADAKKADAVU HOUSE,
P.O. MUNDUR
THRISSUR.
5. FRANCIS,
S/O. JOSEPH,
PANAKKAL HOUSE,
MUNDUR P.O.
THRISSUR.

BY ADV. SRI.T.M.CHANDRAN

RESPONDENT(S) :

1. LENIN
S/O. MADHAVAN NAIR,
KATTEDATH HOUSE, P.O. MUNDUR
THRISSUR, PIN – 680 541.

2. PUBLIC WORKS DEPARTMENT,
REPRESENTED BY EXECUTIVE ENGINEER,
P.W.D. OFFICE, CHEMBUKAVU
THRISSUR, PIN-680 003.
3. ASSISTANT EXECUTIVE ENGINEER,
P.W.D ROADS SUB DIVISION, THRISSUR, PIN- 680 003.
4. STATE OF KERALA,
REPRESENTED BY DISTRICT COLLECTOR, COLLECTORATE
AYYANTHOLE, TRICHUR, PIN – 680 003.

R2 TO R4 BY GOVT. PLEADER SMT. LILLY LESLIE

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 03-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Mn

...3/-

OP(C).No. 566 of 2015 (O)

APPENDIX

PETITIONERS' EXHIBITS :

EXHIBIT-P1- TRUE COPY OF THE PLAINT DATED 06/02/2013 IN O.S. NO. 558/2013.

**EXHIBIT-P2- TRUE COPY OF THE PETITION I.A NO.16571/2014 DATED 14/08/2014
FOR GETTING IMPEADED AS ADDITIONAL DEFENDANTS IN THE SUIT.**

**EXHIBIT-P3- TRUE COPY OF OBJECTION DATED 24/09/2014 FILED BY THE IST
RESPONDENT.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

Mn

P.BHAVADASAN, J.

O.P.(C) No. 566 of 2015

Dated this the 03rd day of March, 2015

J U D G M E N T

The first respondent before this court is alleged to have instituted O.S.No. 558/2013 against the State Authority seeking to have them restrained from taking his property for widening of the road.

2. Finding that, that may affect the rights of the petitioners, petitioners sought to get themselves impleaded in the suit as per Ext.P2 petition. Objection to the impleading petition was filed by the first respondent within a month thereafter. The complaint is that thereafter the petition has undergone 12 postings without any result and now it stands posted to 09.04.2015. Petitioners apprehend that no orders may be passed on that day also. Petitioners point out that their rights may be affected by any orders that may be passed in the suit and it is necessary that they should be heard in the matter. At any rate, it is pointed out

that there was no justification for not disposing of the impleading petition as there was no serious objection from the side of the other respondents.

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

This petition is disposed of directing the Munsiff Court, Trichur to take up Ext.P2 impleading application said to have been filed by the petitioners and dispose it of as expeditiously as possible, at any rate, before the summer vacation.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge