

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

WEDNESDAY, THE 11TH DAY OF MARCH 2015/20TH PHALGUNA, 1936

OP(C).No. 587 of 2015 (O)

PETITIONER(S) :

**1. SASIDHARAN NAIK, AGED 78 YEARS
S/O.GOPALANAICKAN, POZHANKAVIL, THEKKEMADOM
PANANGAD DESOM, S.N.PURAM VILLAGE,
KODUNGALLUR TALUK, THRISSUR
PIN - 680 665.**

**2. VIMALA AMMAL,
AGED 73 YEARS, W/O.SASIDHARAN NAIK,
POZHANKAVIL, THEKKEMADOM, PANANGAD DESOM
S.N.PURAM VILLAGE, KODUNGALLUR TALUK
THRISSUR, PIN - 680 665.**

**BY ADVS.SRI.PRASUN.S
SRI.PAUL MATHEW (PERUMPILLIL)
SRI.N.V.RAJEEV**

RESPONDENT :

**BALAGOPALA NAIK, AGED 46 YEARS,
S/O.SASIDHARAN NAIK, POZHANKAVIL, THEKKEMADOM
PANANGAD DESOM, S.N.PURAM VILLAGE,
KODUNGALLOOR TALUK, THRISSUR
PIN – 680 665.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 11-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

Mn

...2/-

OP(C).No. 587 of 2015 (O)

APPENDIX

PETITIONERS' EXHIBITS :

- EXT. P1- THE TRUE PHOTOCOPY OF I.A.NO.4010/2014 PREFERRED BEFORE IN O.S.NO.650 OF 2011 BEFORE THE ADDITIONAL SUB -COURT (II B), IRINJALAKKUDA.
- EXT. P2- THE TRUE PHOTOCOPY OF THE URGENT APPLICATION I.E. I.A. NO.446 OF 2015 DATED 9.2.2015 PRESENTED ON 10.2.2015 IN THE SAID A.S.NO.74 OF 2014 PREFERRED BEFORE THE IVTH ADDITIONAL DISTRICT COURT (IV B), THRISSUR.
- EXT. P3- TRUE PHOTOCOPY OF THE ORDER DATED 20.2.2015 IN I.A.NO.446 OF 2015 IN A.S.NO.74 OF 2014 OF THE IVTH ADDITIONAL DISTRICT COURT (IV B) THRISSUR.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.BHAVADASAN, J.

O.P.(C) No. 587 of 2015

Dated this the 11th day of March, 2015

J U D G M E N T

Report has been received from the court below. It is seen from the report that the deposition of PW1 and DW1 are not readable and the appellate court has to take the aid of legible readable copy prepared by the lower court. It is true that copy of a copy cannot be given. But then the petitioner before this Court is entitled to have a copy of the deposition and once it is stated that the originals are not readable and readable copies have been prepared, it is only just and proper that he be given a copy of the same.

2. Therefore, this petition is allowed and the court below is directed to issue copy of a readable copy on proper application.

3. It is also contended that I.A.No. 354/2015 has been filed by the petitioner for expediting the hearing of the appeal. It is directed that the lower appellate court may make every endeavour to dispose

of the appeal as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this order.

The copy of the deposition may be issued within a period of one week from the date of receipt of a copy of this order.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge