

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. 632 of 2015 (O)

IN I.A.NO. 905/2015 IN O.S.NO.120/2015 OF PRINCIPAL MUNSIFF'S
COURT, ERNAKULAM

PETITIONER(S):

1. E.S.SOORAJ SHENOY,AGED 38 YEARS,
S/O. E.G.SUNDARDAS SHENOY, 40/3330, K.G.VADHYAR ROAD,
T.D WEST, ERNAKULAM, KOCHI - 35.
2. A.K.CHANDRASHEKHARAN,
AGED 49 YEARS, S/O. N.KRISHNA PRABHU,
RADHEYSHYAM, NEAR SANAN CLINIC,
CHITTOOR ROAD, AYYAPPANKAVU, ERNAKULAM.
3. P.G.RAMACHANDRA PAI,
AGED 65 YEARS, S/O. P.N.GUNA PAI, PADIPURAKKAL HOUSE,
K.G.VADHYAR ROAD, T.D.WEST, ERNAKULAM,
COCHIN - 682 035.
4. K.N.DAMODARA PAI,
AGED 56 YEARS, S/O. A.NARAYANA PAI, LAKSHMI NIVAS
SREENIVASA MALLAN ROAD, ERNAKULAM - 682 035.
5. K.UMESH KAMATH,
AGED 48 YEARS, S/O. N.KRISHNA KAMATH,
VAISHNAVI, THANIKKAL,
KEERTHINAGAR ROAD, ELAMAKKARA, KOCHI - 26.
6. NAVIN N.,
AGED 32 YEARS,
S/O. K.NITHYANANDA KAMATH, 40/1255,
ELUTHUNDIPARAMBIL HOUSE, K.G.VADHYAR ROAD, T.D WEST,
KOCHI - 35.
7. GURUDAS SHENOY G.,
AGED 25 YEARS, S/O. G.GOPAL SHENOY,
SANKARASSERY HOUSE, CHITTOOR ROAD,
KOCHI - 682 018.
8. G.MURALEEDHARA PRABHU,
AGED 64 YEARS, S/O. N.GOAPALAKRISHNA PRABHU,
PLOT NO. 828, EWS,
GANDHINAGAR, ERNAKULAM, KOCHI - 20.
9. T.D.DIVAKARA PAI,
AGED 50 YEARS, S/O. T.G.DAYANANDA PAI,
THERUVIPARAMBIL HOUSE,
T.D.EAST SANNIDHI ROAD, ERNAKULAM, KOCHI - 35.

10. KRAMESH P. NAIK,
AGED 37 YEARS, S/O. N.K.PRABHAKARA NAIK,
NEDUMPILLISSERY PARAMBIL,
GOPALAPRABHU ROAD, KOCHI - 35.

BY ADVS.SRI.K.R.VINOD
MS.JENCY SUSAN JOSE
SRI.V.SRI NATH.

RESPONDENT(S) :

1. N.VENUGOPALA SHENOY,
AGED 72 YEARS, S/O. R.N.SHENOY,
KANNANKERIL HOUSE, T.D ROAD,
COCHIN - 682 035.
2. K.V.JANARDHANA PAI,
AGED 48 YEARS, S/O. K.N.VENKITESWARA PAI,
KNG TEXTILES, GOPALAPRABHU ROAD, ERNAKULAM - 682 035.
3. V.UPENDRANATHA PRABHU,
AGED 55 YEARS, S/O.A.V.VITTAPA PRABHU,
VITOPS COMPLEX,
MAHAKAVI BHARATHEEYAR ROAD, ERNAKULAM - 682 035.
4. A.G.ADITYA SHENOY,
AGED 32 YEARS, S/O. A.N.GUNA SHENOY,
VASANTHA VIHAR, T.D.ROAD, ERNAKULAM - 682 035.
5. ERNAKULAM THIRUMALA DEVASWOM,
REPRESENTED BY ITS MANAGING ADHIKARIES,
P.RANGADASA PRABHU, AGED 65 YEARS,
ERNAKULAM THIRUMALA DEVASWOM,
PANJABJA PURAM, THIRUMALA DEAVASWOM ROAD,
COCHIN - 682 035 AND K.J.RADHAKRISHNA KAMATH,
AGED ABOUT 65 YEARS, ERNAKULAM THIRUMALA DEVASWOM,
PANJABJA PURAM, THIRUMALA DEVASWOM ROAD,
KOCHI - 682 035.
6. V.RAJKUMAR MAMMATH,
AGED 56 YEARS, S/O. A.VASUDEVA KAMMATH,
THE MANAGING COMMITTEE MEMBER
ERNAKULAM THIRUMALA DEWASWOM, SREE RAMA NILAYAM
T.D.ROAD, KOCHI - 35.
7. V.SIVANANDA BHAT,
AGED 70 YEARS, S/O. VENUGOPALA BHAT,
THE MANAGING COMMITTEE MEMBER ERNAKULAM THIRUMALA
DEWASWOM, SHIVASEEMA, JEW STREET, KOCHI - 35.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
09-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXT. P1 - THE COPY OF THE PLAINT IN OS NO. 120/15 IN THE FILES OF
THE PRINCIPAL MUNSIFF'S COURT, ERNAKULAM.

EXT. P2 - THE COPY OF INJUNCTION PETITION IA NO. 905/15 IN OS NO.
120/15 IN THE FILES OF THE PRINCIPAL MUNSIFF'S COURT,
ERNAKULAM.

EXT. P3 - THE COPY OF THE IMPEADING PETITION IA NO. 1060/15 FILED
BY THE PETITIONERS.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

P. BHAVADASAN, J.

O.P.(C). No. 632 of 2015

Dated this the 9th day of March, 2015.

JUDGMENT

The limited prayer in this Original Petition is for a direction to the Principal Munsiff's Court, Ernakulam to take up Ext.P2 and dispose it of after hearing the petitioners herein.

2. The suit was infact filed by the first respondent as against respondents 2 to 4. It related to conduct of Garudolsavam in Ernakulam Thirumala Devaswam Temple and an interim order of injunction was granted. Feeling aggrieved, the petitioners got themselves impleaded as defendants 4 to 14 in the suit and in the interlocutory application. Subsequently others also got themselves impleaded. The petitioners filed counter affidavit to the injunction application and also filed a petition to advance the hearing of the injunction application in which order has

been passed. The only grievance of the petitioners is that the court below has been adjourning the matter without any rhyme or reason causing prejudice to the interests of the petitioners.

This Original Petition is disposed of directing the court below to take up I.A.905 of 2015 in O.S. 120 of 2015 on a proper application being filed by the petitioners, and dispose it of in accordance with law, after hearing all sides, as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this judgment.

sb.

P. BHAVADASAN,
JUDGE