

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

MONDAY, THE 23RD DAY OF MARCH 2015/2ND CHAITHRA, 1937

OP(C).No. 656 of 2015 (O)

IA.NO.2237/2014 IN O.S.NO.378/2014 OF MUNSIFF'S COURT, THALASSERY.

PETITIONER:

V.P.VASU, S/O.KESAVAN ACHARY,
AGED 72 YEARS, PENSIONER, MELEDATH,
VALIYAPURAYIL, KADAMBUR AMSOM & DESOM,
EDAKKAD.P.O, KANNUR DISTRICT, PIN-670 663.

BY ADV. V.P.VASU (PARTY IN PERSON)

RESPONDENT(S):

1. MOHANAN, S/O.MADHAVAN ACHARY,
AGED 55 YEARS, KOTTADICHALIL HOUSE,
KADAMBUR AMSOM & DESOM, KADAMBUR.P.O,
KANNUR TALUK & DISTRICT-670663.
2. MELEDATH NARAYANAN, S/O.GOVINDAN,
AGED 61 YEARS, MELEDATH HOUSE,
KADAMBUR AMSOM & DESOM, EDAKKAD.P.O,
KANNUR TALUK & DISTRICT-670663.
3. C.P.SURENDRAN, S/O.DAMODARAN ACHARY,
AGED 59 YEARS, CHERIYAPURAIL,
KADAMBUR AMSOM & DESOM, EDAKKAD.P.O,
KANNUR TALUK & DISTRICT-670663.
4. MELEDATH RAJESH, S/O.M.RAGHAVAN,
AGED 41 YEARS, AMRITHA,
EDAKKAD AMSOM & DESOM, EDAKKAD.P.O,
KANNUR TALUK & DISTRICT-670663.
5. MELEDATH JAYAN, S/O.KUNJIRAMAN ACHARY,
AGED 46 YEARS, MELEDATH HOUSE,
KADAMBUR AMSOM & DESOM, EDAKKAD.P.O,
KANNUR TALUK & DISTRICT-670663.

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6. SHIJITH, S/O.KUNJUKUTTY ACHARY,
AGED 56 YEARS, CHERIYAPURAIL HOUSE,
KADAMBUR AMSOM & DESOM, EDAKKAD.P.O,
KANNUR TALUK & DISTRICT-670663.
7. C.P.LAKSHAMANAN, S/O.GOVINDAN ACHARY,
AGED 63 YEARS, CHERIYAPURAIL HOUSE,
KADAMBUR AMSOM & DESOM, EDAKKAD.P.O,
KANNUR TALUK & DISTRICT-670663.
8. C.P.KUTTYRAMAN, S/O.GOVINDAN ACHARY,
AGED 71 YEARS, CHERIYAPURAIL HOUSE,
KADAMBUR AMSOM & DESOM, EDAKKAD.P.O,
KANNUR TALUK & DISTRICT-670663.
9. MELEDATH RAGHAVAN, S/O.NARAYANAN ACHARY,
AGED 66 YEARS, AMRITHA, EDAKKAD AMSOM & DESOM,
EDAKKAD.P.O, KANNUR TALUK & DISTRICT-670663.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 23-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

mbr/

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APPENDIX

PETITIONER(S)' EXHIBITS:

- EXT.P1 : A TRUE COPY OF THE PLAINT DATED 23-8-2014 IN O.S.378/2014 ON
 THE FILE OF THE MUNSIFF'S COURT, THALASSERY.
- EXT.P2 : A TRUE COPY OF THE I.A.2237/2014 DATED 23-8-2014 IN O.S.378/2011
 ON THE FILE OF THE MUNSIFF'S COURT, THALASSERY.
- EXT.P3 : A TRUE COPY OF THE COUNTER DATED 1-12-2014 IN I.A.2237/2014 IN
 O.S.378/2014 ON THE FILE OF THE MUNSIFF'S COURT, THALASSERY.

RESPONDENT(S)' EXHIBITS:

- NIL

/TRUE COPY/

P.S. TO JUDGE

mbr/

P. BHAVADASAN, J.

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O.P.(C) No.656 OF 2015

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Dated this the 23rd day of March, 2015

JUDGMENT

In this original petition, the reliefs sought for are as follows:

"(a) To direct the Munsiff's Court, Thalassery to pass order on Ext.P2 I.A.2237/2014 in O.S.378/2014 within a time frame which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case;

(b) To direct the Munsiff's Court, Thalassery to issue temporary injunction as prayed for in Ext.P2;

(c) To pass orders for the peaceful conduct of annual festival from 13.03.2015 in the plaint A schedule property in accordance with custom document No.180/1923, 442/1926 and 1782/1929 and in terms of the customary usage followed by the thavazhy members from time immemorial."

2. This Court, on going through the original petition, called for a report from the judicial officer concerned and a report has been received. In the report, it is pointed out that the learned officer has advanced the hearing of the petition and he has assured this Court that the matter will be disposed of expeditiously as possible.

3. In the light of the above undertaking given by the officer concerned, all that this Court needs now to direct the court below to hear Ext.P2, I.A.No.2237/2014 dated 23.08.2014 in O.S. No.378/2011 and dispose of the same before the summer vacation begins.

The original petition is disposed of as above.

Sd/-
P. BHAVADASAN,
JUDGE.

//true copy//

P.S. to Judge

St/-