

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. 662 of 2015 (O)

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IN OS 212/2007 of MUNSIFF COURT, MANJERI**

PETITIONER(S):

**MANIKANDAN AGED 42 YEARS,
S/O.NECHIKKADAN RADHALAKSHMI, MANIKANDA NIVAS
MULLAMPARA ROAD, P.O.MANJERI, MALAPPURAM DISTRICT**

**BY ADVS.SRI.VINOD RAVINDRANATH
SRI.T.SIVADASAN
SMT.MEENA.A.
SRI.SAJU.S.A
SRI.K.C.KIRAN
SRI.M.DEVESH**

RESPONDENT(S):

**RAMACHANDRAN
S/O.NECHIKADAN KELU, MATHILVALAPPIL HOUSE
P.O.EREIVETTI, MALAPPURAM DISTRICT.**

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

ds

OP(C).No. 662 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE COPY OF THE PRELIMINARY DECREE FOR PARTITION IN O.S.212/2007,
DATED 11.12.2009 ON THE FILE OF THE MUNSIF COURT, MANJERI
- P2- TRUE COPY OF I.A.604/13 DATED 4.3.2013 FILED FOR IMPEADING THE
LEGAL HEIRS OF DECEASED RADHALAKSHMI IN THE FINAL DECREE
PROCEEDINGS
- P3- TRUE COPY OF IA 1740/2012 DATED 17.9.2012 ON THE FILE OF THE MUNSIF
COURT, MANJERI

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.A. TO JUDGE

ds

P.BHAVADASAN, J.

O.P.(C) No. 662 of 2015

Dated this the 11th day of March, 2015

J U D G M E N T

In a suit for partition, a preliminary decree was passed on 01.02.2009 in which the plaintiffs were allotted 6/8 shares. The other two shares were allotted to the defendants. In pursuance to the preliminary decree, final decree proceedings were initiated as per I.A.No. 227/2010. Consequent upon the death of the third defendant, which brings about a change in the shares of the parties, the petitioner filed I.A.No.1740/2012 for passing of a supplementary preliminary decree. That application is pending. The request of the petitioner is that there may be a direction to dispose of the said petition.

2. 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 allowed and the court below is directed to take up Ext.P3 petition and dispose it of on merits as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this judgment. This will not preclude the court below from entertaining any petition in this proceedings.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge