

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

THURSDAY, THE 19TH DAY OF MARCH 2015/28TH PHALGUNA, 1936

OP(C).No. 747 of 2015 (O)

O.S.NO. 18/2014 of MUNSIF COURT, KATTAPPANA

PETITIONER(S):

JOHN JOSEPH, S/O.JOSEPH, AGED 72 YEARS
KOYICKAL HOUSE, VELLAYAMKUDY KARA, KATTAPPANA VILLAGE,
UDUMBANCHOLA TALUK, IDUKKI DISTRICT.

BY ADVS.SRI.C.K.VIDYASAGAR
SRI.P.CHANDY JOSEPH

RESPONDENT(S):

RINTO, S/O.JOSEPH, AGED 27 YEARS, MARIPPURATHU HOUSE,
KATTAPPANA KARA, KATTAPPANA VILLAGE,
UDUMBANCHOLA TALUK - 685513.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 19-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP(C) NO.747/2015

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE PHOTOCOPY OF THE O.S.NO.18/2014 FILED BY THE RESPONDENT AGAINST THE PETITIONER BEFORE THE HONOURABLE MUNSIF COURT, KATTAPPANA

EXT.P2 TRUE PHOTOCOPY OF THE WRITTEN STATEMENT FILED BY THE PETITIONER IN OS NO.18/2014 BEFORE THE HONOURABLE MUNSIF COURT, KATTAPPANA

EXT.P3 TRUE PHOTOCOPY OF THE TREATMENT RECORDS DATED 5.8.2014 ISSUED FROM LAKESHORE HOSPITAL, NETTOOR

EXT.P4 TRUE PHOTOCOPY OF THE ORDER DATED 21.05.20125 IN OS NO.18/2014

EXT.P5 TRUE PHOTOCOPY OF THE ORDER DATED 24.01.2015 IN IA NO.488/2014 IN OS NO.18/2014 BEFORE THE HONOURABLE MUNSIF COURT, KATTAPPANA

EXT.P6 TRUE PHOTOCOPY OF THE ORDER IN IA NO.853/2014 IN OS NO.18/2014 BEFORE THE HONOURABLE MUNSIF COURT, KATTAPPANA

RESPONDENT'S EXHIBITS: NIL

//TRUE COPY//

A.HARIPRASAD, J.

O.P.(C) No.747 of 2015

Dated this the 19th day of March, 2015

JUDGMENT

Petition under Article 227 of the Constitution of India.

2. Petitioner is the defendant in O.S.No.18 of 2014 pending before the Munsiff's Court, Kattapana. Ext.P1 is the copy of the plaint. The relief sought for in the plaint is to restrain the defendant/petitioner and his agents by a permanent prohibitory injunction from dispossessing the plaintiff by force.

3. Heard the learned counsel for the petitioner. On going through the averments in the petition and after hearing the learned counsel for the petitioner, I am of the view that the petition can be disposed of at the stage of admission itself. The only prayer in the petition is for an early disposal of the suit considering the facts that the petitioner is a senior citizen aged 72 and also suffering from various ailments. It is also submitted that the plaintiff/respondent has sublet the property and getting fabulous income. The petitioner makes a request for early disposal of the matter. After considering the entire facts and circumstances, the original petition is

disposed of with the following directions.

The court below shall try and dispose of the suit on an early date, at any rate, within three months from the date of re-opening the courts after summer vacation.

A. HARIPRASAD, JUDGE.

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