

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE B.KEMAL PASHA

MONDAY, THE 1ST DAY OF JUNE 2015/11TH JYAISHTA, 1937

OP(C).No.773 of 2015 (O)

OS NO.431/2006 of PRINCIPAL SUB COURT,PALAKKAD.

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PETITIONER:

**SULOCHANA,W/O.LATE CHENTHAMARAKSHAN,
AGED 65 YEARS,KAYTHARAVU KALAM,
VANDITHAVALAM P.O.,CHITTUR TALUK,PALAKKAD.**

**BY ADVS.SRI.JACOB SEBASTIAN
SMT.SHAMSEERA. C.ASHRAF
SRI.T.U.SUJITH KUMAR
SMT.ANU JACOB**

RESPONDENT:

**SAROJINI,W/O.CHADRAN,AGED 67 YEARS,
NEDUVALLIKALAM,OZHIVUPARA,PALLASSENA,
CHITTUR TALUK,PALAKKAD - 678 101.**

**R1 BY ADVS.SRI.R.HARIKRISHNAN
SRI.E.RAMACHANDRAN
SMT.A.SINDHULAKSHMY
SRI.R.UMASANKAR
SMT.SINDHU SARAH THOMAS**

**THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 01-06-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

pk

OP(C).No.773 of 2015 (O)

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1:A TRUE COPY OF THE PRELIMINARY DECREE IN ORIGINAL SUIT
NUMBER 431/2006 OF THE COURT OF THE SUBORDINATE JUDGE OF
PALAKKAD.**

**EXT.P2:A TRUE COPY OF THE INTERIM REPORT DATED MAY 23,2013 FILED BY
THE ADVOCATE COMMISSIONER.**

**EXT.P3:A TRUE COPY OF THE ORDER DATED AUGUST 1, 2013 IN
INTERLOCUTORY APPLICATION NUMBER 1832/2013 IN FINAL DECREE
APPLICATION NUMBER 2925/2009 IN ORIGINAL SUIT NUMBER 431/2006
OF THE COURT OF THE PRINCIPAL SUBORDINAT JUDGE, PALAKKAD.**

**EXT.P4:A TRUE COPY OF THE JUDGMENT DATED JANUARY 29,2014 IN OPC
NUMBER 2994/2013.**

**EXT.P5:A TRUE COPY OF THE REPORT DATED AUGUST 12,2014 OF THE
ADVOCATE COMMISSIONER.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

B.KEMAL PASHA, J.

.....
O.P.(C) No.773 of 2015
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Dated this the 1st day of June, 2015

J U D G M E N T

The respondent has entered appearance. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

2. The petitioner is entitled to half share in the property. Therefore, the petitioner need only to be burdened with the liability to deposit half the bid amount. The court below is directed to give such a direction to the Commissioner. Condition Nos.5, 6 and 7 in Ext.P5 is modified to the above effect.

With the said directions, this Original Petition is disposed of.

Sd/-B.KEMAL PASHA, JUDGE

ul/-

/ true copy /

P.S. to Judge.