

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 25TH DAY OF MAY 2015/4TH JYAISHTA, 1937

OP(C).No. 785 of 2015 (O)

PETITIONER(S) :

S.INDUMATHI THANKACHY,
D/O. LATE. A SARAJINI THANKACHY ANANDA BHAVAN,
TC 27/2347 AND TC 27/2348, CRA 39 THUMBARA LANE,
NOW RESIDING AT MADATHUVILAKKAM, TC 2/1843,
GOWREESHAPATTOM, THIRUVANANTHAPURAM - 695 004

BY ADV. SRI.M.BALAGOVINDAN.

RESPONDENT(S) :

1. RANI KUMARI (DIED) ,
W/O. TRIVIKRAMAN THAMPY MALAMMEL VEEDU, TC 41/545,
MUTTATHARA, THIRUVANANTHAPURAM.
2. DAYA KUMARI,
D/O. RANIKUMARI, MALAMMEL VEEDU,
TC41/545, MUTTATHARA, THIRUVANANTHAPURAM.
3. R. KUMARI SHOBHA,
D/O. RANIKUMARI, MALAMMEL VEEDU,
TC 41/545, MUTTAHTARA, THIRUVANANTHAPURAM.

BY ADV. SRI.L.GOPALAKRISHNAN POTTI &

BY ADV. SRI.A.DINESH RAO.

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 25-05-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE JUDGMENT IN RFA 627/2011 DATED
14.11.2012.

EXHIBIT P2: TRUE COPY OF THE CLARIFIED ORDER IN RFA 627/2011 DATED
1.3.2013.

EXHIBIT P3: TRUE COPY OF THE ORDER IN IA 647/2013 IN OS 460/89
DATED 7.2.2013.

EXHIBIT P4: TRUE COPY OF THE CORRECTION PETITION AS IA 3119/2014 IN
OS 460/1989 DATED 18.8.2014.

EXHIBIT P5: TRUE COPY OF THE ORDER DATED 20.1.2015.

EXHIBIT P6: TRUE COPY OF THE ORDER IN IA 460/1989 IN OS 460/1989
DATED 29.1.2013.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

B.KEMAL PASHA, J.

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Dated this the 25th day of May, 2015

J U D G M E N T

Heard.

2. The learned counsel for the respondents submits that the respondents have no objection as against Exhibit P4 and those corrections are to be carried out. It seems that through Exhibit P5 order, the court below has dismissed I.A.No.3119 of 2014.

3. The suit is one for partition filed as O.S.No.460 of 1989. Still the matter is not finalized. When the parties are not standing in the way of getting the final decree corrected in tune with Exhibit P4, the court below has to re-consider it.

In the result, Exhibit P5 order is set aside, Exhibit P4 is revived. The court below shall re-consider the question and dispose of Exhibit P4 within 15 days from the date of receipt

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of the copy of this judgment. Considering the fact that the matter is very old, the court below shall make every endeavor for expeditious disposal of the case.

Sd/-

B.KEMAL PASHA
JUDGE

DSV/25/5/15