

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

THURSDAY, THE 26TH DAY OF MARCH 2015/5TH CHAITHRA, 1937

OP(C).No. 848 of 2015 (O)

A.S.NO.8/2014 OF SUB COURT, TIRUR

PETITIONER(S) :

KARUKAYIL BHARATHI,
W/O.KUMARAN, KARUKAYIL HOUSE, PURATHUR AMSOM DESOM,
TIRUR TALUK, MALAPPURAM DISTRICT.

BY ADV. SRI.JAMSHEED HAFIZ

RESPONDENT(S) :

1. K.KUMARI,
W/O.PRAKASHAN

2. K.PRAKASHAN
S/O.KUMARAN,

3. PRAJITHA,
D/O.PRAKASHAN

4. PRASOB,
S/O.PRAKASHAN

5. SATHYABHAMA
D/O.KARUKAYIL BHARATHI

KARUKAYIL HOUSE,
PURATHUR AMSOM DESOM, TIRUR TALUK,
MALAPPURAM DISTRICT-676 102.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 26-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Msd.

OP(C).No. 848 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1 : A TRUE COPY OF THE APPEAL MEMORANDUM IN A.S.NO.8/2014
BEFORE THE SUB COURT, TIRUR, DATED NIL.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.BHAVADASAN, J.

O.P.(C) No. 848 of 2015

Dated this the 26th day of March, 2015

J U D G M E N T

The limited prayer in this original petition is for a direction to the Sub Court, Tirur to take up A.S.No. 8/2014 and dispose it of as expeditiously as possible.

2. The petitioner is the plaintiff in O.S.No. 61/2012 before the Munsiff Court, Tirur. The suit was one for mandatory injunction to evict the defendants from the plaint schedule property. The suit was decreed in favour of the plaintiff. An appeal has been preferred by the aggrieved defendants as A.S.No.8/2014.

3. The petitioner points out that she is advanced in age and she would like to enjoy the fruits of the decree during her lifetime. It is pointed out that the appeal is ripe for hearing and there is no reason as to why the court below should not dispose of the same.

4. After having given anxious consideration to various aspects, it is felt that the request made is reasonable.

This petition is disposed of directing the Sub Court, Tirur to take up A.S.No.8/2014 at the earliest and dispose it of as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this judgment. It is made clear that this direction will not prevent the court below in disposing of any pending interlocutory applications or entertaining any interlocutory applications and dispose them of in accordance with law.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge