

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. 850 of 2015 (O)

(OS 262/2014 of PRINCIPAL SUB COURT, PALAKKAD)

PETITIONER/DEFENDANT:

SREELATHA S., AGED 47 YEARS,
W/O.RADHAKRISHNAPILLA, RESIDING AT VRINDAVAN, 14/777,
KUNNANNUR, GANAPATHY STREET, WEST CHEMBALODU,
CHANDRANAGAR, PALAKKAD.

BY ADV. SMT.M.P.SUNITHA BEEGUM

RESPONDENTS/PLAINTIFFS:

1. T.T.PETER,, AGED 65 YEARS
S/O.T.V.THOMAS, 1ST G.B.BLOCK, PALMSHADE APARTMENTS,
KINGS PACE, PHASE-1, AMBALAM ROAD,
PERUGANDOOR PO, ATHANI, THRISSUR-680 581.
2. DR.SUMI P.MARIYA,
D/O.T.T.PETER, 1ST G.B.BLOCK, PALMSHADE APARTMENTS
KINGS PACE, PHASE-1, AMBALAM ROAD,
PERUGANDOOR PO, ATHANI, THRISSUR-680 581.

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

OP(C).No. 850 of 2015 (O)

APPENDIX

PETITIONER'S EXHIBITS :

EXT P1 : TRUE COPY OF THE DOCUMENT NO.5937/2014 DATED 7.10.2014
REGISTERED IN SUB REGISTRAR OFFICE, PALAKKAD.

EXT P2 : TRUE COPY OF PETITION DATED 10.11.2014 BEFORE THE KASBA
POLICE STATION.

EXT P3 : TRUE COPY OF TAX RECEIPT DATED 25.11.2014.

EXT P4 : TRUE COPY OF THE RESIDENCE CERTIFICATE DATED 19.3.2015
ISSUED BY VILLAGE OFFICE, PALAKKAD.

EXT P5 : TRUE COPY OF THE POSSESSION CERTIFICATE DATED 25.11.2014.

EXT P6 : TRUE COPY OF THE OS.262/2014 DATED 19.12.2014 FILED BY THE
RESPONDENTS BEFORE THE PRINCIPAL SUB COURT, PALAKKAD.

EXT P7 : TRUE COPY OF THE IA.3899/2014 FILED BY THE RESPONDENT IN
OS.262/2014.

EXT P8 : TRUE COPY OF THE REPORT DATED 7.1.2015 SUBMITTED BY THE
ADVOCATE COMMISSIONER BEFORE THE SUB COURT.

RESPONDENTS' EXHIBITS: NIL.

//True Copy //

P.A. to Judge.

smp

P.BHAVADASAN, J.

Original Petition (Civil) No.850 OF 2015

Dated this the 26th day of March, 2015.

J U D G M E N T

It escapes from one's understanding as to how a petition under Article 227 of the Constitution of India can be maintained in the light of the nature of relief sought for in the original petition. The reliefs sought for in the original petition read as follows:

- (i) To pass an order directing the respondents to shift their movable things listed by the Advocate Commissioner from the house of the petitioner.
- (ii) To grant permission to the petitioner to make alterations and renovate her house.

To say the least, the petition is ill-advised and misconceived. This original petition is per se not maintainable. It is accordingly dismissed.

Sd/-

**P.BHAVADASAN
JUDGE**

smp