

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

OP(C).No. 861 of 2015 (O)

**I.A.NO.597/2015 IN C.M.A.NO.35/2015 OF ADDITIONAL DISTRICT COURT - IV,
PALAKKAD**

PETITIONER(S) :

**SUNIL, AGED 28 YEARS,
S/O.KRISHNAN, ANCHANGADI, THONIPPADAM,
VAVULLIAPURAM, ALATHUR, PALAKKAD.**

BY ADV. SRI.V.A.JOHNSON (VARIKKAPPALLIL)

RESPONDENT(S) :

**VEERA SAHIB KURUKKAL, AGED 80 YEARS,
S/O.MOIDEEN KURUKKAL, KERMATHUKULAMBIL, VAVULLIAPURAM,
ALATHUR, PALAKKAD-678 541.**

BY ADV. SRI.P.R.VENKETESH

**THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 09-04-2015,
ALONG WITH OP(C)NO.882 OF 2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:**

Msd.

OP(C).No. 861 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF THE O.S.NO.382 OF 2013 ON THE FILE OF
THE COURT OF THE MUNSIFF OF ALATHUR DATED 14.12.2013.**

**EXHIBIT P2: TRUE COPY OF THE EXTRACT OF THE BASIC TAX RECEIPT
OBTAINED UNDER RTI FROM THE OFFICE OF THE VILLAGE
OFFICER TARUR-II OF ALATHUR TALUK.**

**EXHIBIT P3: TRUE COPY OF THE I.A.NO.572/2015 IN O.S.NO.382/2013 OF
THE COURT OF MUNSIFF AT ALATHUR DATED 07.03.2015.**

**EXHIBIT P4: TRUE COPY OF THE ORDER IN I.A.NO.597/2015 IN
C.M.A NO.35/2015 OF THE COURT OF ADDL. DISTRICT JUDGE-IV,
PALAKKAD DATED 19.03.2015.**

**EXHIBIT P5: TRUE COPY OF THE TYPED ORDER IN I.A.NO.597/2015 IN
C.M.A.NO.35/2015 OF THE COURT OF ADDL. DISTRICT JUDGE-IV,
PALAKKAD DATED 24.03.2015.**

RESPONDENT(S)' EXHIBITS

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

P.BHAVADASAN, J.

O.P.(C) Nos. 861 & 882 of 2015

Dated this the 09th day of April, 2015

J U D G M E N T

In supersession of the order impugned in these two petitions it is ordered as follows:

The right to catch the fish from the pond shall be auctioned by the court through an Advocate Commissioner and the plaintiff in the suit can also take part in the auction. The money so collected shall be kept in court deposit to be disbursed as per the result in the suit.

This petition is disposed of as above with a direction that the trial court may make every endeavour to dispose of the suit as expeditiously as possible at any rate, within a period of six months from the date of re-opening of the court after summer vacation. Any further orders required on this matter shall be left to the discretion of the court below.

**P.BHAVADASAN
JUDGE**