

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 28TH DAY OF MAY 2015/7TH JYAISHTA, 1937

OP(C).No. 872 of 2015 (O)

IN OS 45/2012 of ADDL.MUNSIFF COURT, KOLLAM

PETITIONER(S) :

FR.JOLLY JOSEPH,
AGED 48 YEARS, S/O. JOSEPH,
RESIDING AT ROSE DALE, KANJIRACODE MURI,
MULAVANA VILLAGE, KOLLAM TALUK - 691 501.

BY ADV. FR.JOLLY JOSEPH (PARTY IN PERSON).

RESPONDENT(S) :

1. FR.JAMES PUTHENPURA,
AGED 73 YEARS, S/O. MATHAI, FORMERLY VICAR,
ST. ANTONY'S CHURCH,
KANJIRACODE MURI, MULAVANA VILLAGE,
KOLLAM TALUK - 691 501.
2. K.C. JOSE,
ABOUT 61, KOCHUKURSU, FORMERLY TRUSTEE,
ST. ANTONY'S CHURCH,
KANJIRACODE MURI, RESIDING AT KUNNUVILA, EDAKKARA,
MULAVANA VILLAGE, KOLLAM TALUK - 691 501.
3. FULGIN,
AGED ABOUT 61, S/O. MARIAN,
FORMERLY EXECUTIVE COMMITTEE MEMBER,
ST. ANTONY'S CHURCH, RESIDING AT VIRGIN DALE,
PANAYAMKODU MURI, MULAVANA VILLAGE, KOLLAM -691 501.
4. PIOUS,
AGED 70 YEARS, S/O. ANTONY,
FORMERLY EXECUTIVE COMMITTEE MEMBER,
ST. ANTONY'S CHURCH,
RESIDING AT CHARUVILA PUTHEN VEEDU, KANJIRACODE MURI,
MULAVANA VILLAGE, KOLLAM TALUK - 691 501.

5. J. JOHNSON,
AGED 55 YEARS, CONTRACTOR, S/O. JOSEPH CHAZHIKADAN,
POOKOLY, KOTTAKKAM, KANJIRACODE MURI,
MULAVANA VILLAGE,
KOLLAM TALUK - 691 501.
6. JAYAN,
AGED 37 YEARS, S/O. JOSEPH, RESIDING AT ROSE DALE,
KANJIRACODE MURI,
MULAVANA VILLAGE, KOLLAM TALUK - 691 501.

R1 BY ADV. SRI.JOHN JOSEPH VETTIKAD &
R1 BY ADV. SRI.C.JOSEPH JOHNY.

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 28-05-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXHIBIT-P1- TRUE COPY OF THE PLAINT IN O.S 45/2012.
- EXHIBIT-P2- TRUE COPY OF THE INJUNCTION ORDER IN I.A 304/2012 IN O.S 45/2012.
- EXHIBIT-P3- TRUE COPY OF THE RESOLUTION OF CHURCH FINANCE COMMITTEE ALLOWING THE PETITIONER HIS INGRESS AND EGRESS.
- EXHIBIT-P4- TRUE COPY OF THE COMMISSION APPLICATION IN I.A 2387/2013.
- EXHIBIT-P5- TRUE COPY OF THE ORDER DATED 29/11/2015 IN COMMISSION APPLICATION.
- EXHIBIT-P6- TRUE COPY OF THE JUDGMENT DATED 30/01/2015 IN O.P(C) 2966/2014.
- EXHIBIT-P7- TRUE COPY OF THE ADVANCE PETITION NO. 872/2015.
- EXHIBIT-P8- TRUE COPY OF THE COMPLAINT DATED 12/03/2015 TO POLICE AND POLICE RECEIPT DATED 12/03/2015.
- EXHIBIT-P9- TRUE COPY OF THE COMPLAINT DATED 20/03/2015 TO SP OF KOLLAM AND ITS RECEIPT DATED 20/03/2015.
- EXHIBIT-P10- TRUE COPY OF THE ADVANCE PETITION NO. 1409/2015.
- EXHIBIT-P11- TRUE COPY OF THE MEMO DATED 16/03/2015 FOR SENDING THE ALREADY ALLOWED COMMISSION.
- EXHIBIT-P12- TRUE COPY OF THE I.A 1614/2015 FOR MANDATORY INJUNCTION.
- EXHIBIT-P13- TRUE COPY OF THE 4 COLOR PRINTS SHOWING VIOLATION OF INJUNCTION ORDER.
- EXHIBIT-P14- TRUE COPY OF ORIGINAL A/D OF THE 2ND RESPONDENT.
- EXHIBIT-P15- TRUE COPY OF ORIGINAL A/D OF THE 3RD RESPONDENT.
- EXHIBIT-P16- TRUE COPY OF ORIGINAL A/D OF THE 4TH RESPONDENT.
- EXHIBIT-P17- TRUE COPY OF ORIGINAL A/D OF THE 5TH RESPONDENT.
- EXHIBIT-P18- TRUE COPY OF ORIGINAL A/D OF THE 6TH RESPONDENT.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

B. KEMAL PASHA, J.

.....
O.P.(C) No.872 of 2015
.....

Dated this the 28th day of May, 2015

J U D G M E N T

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The learned Additional Munsiff, Kollam has reported that the case presently stands posted to 18.06.2015 for the Commissioner's report. On going through the matter, this Court is of the view that the learned Additional Munsiff can be directed to dispose of the suit, as expeditiously as possible, at any rate, within a period of six months from today.

In the result, this OP(Civil) is disposed of as above.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/28/05

// True Copy //

PA to Judge