

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

FRIDAY, THE 27TH DAY OF MARCH 2015/6TH CHAITHRA, 1937

OP(C).No. 875 of 2015 (O)

OS.NO. 51/2014 OF MUNSIF COURT, NEYYATTINKARA

PETITIONER(S):

1. A.J.JACOB, AGED 50 YEARS,
S/O. A. JOSE, THOTTATHIL VEEDU,
RAILWAY OVERBRIDGE ROAD, MARUTHOOR DESOM,
NEYYATTINKARA VILLAGE AND NEYYATTINKARA P.O.
2. K. RAJESWARI, AGED 70 YEARS,
D/O. KAMALAMMA PILLAI, KANNAMASSERI VEEDU,
T.B. JUNCTION, MARUTHOOR DESOM,
NEYYATTINKARA AND NOW RESIDING AT HAPPY HOME,
KAVALAKULAM, NEYYATTINKARA P.O.

BY ADVS.SRI.KRISHNADAS P. NAIR
SMT.K.L.SREEKALA

RESPONDENT(S):

1. R.MEENAKUMARI, AGED 48 YEARS,
D/O. RAJESWARI, EASWARAVILASOM BUNGLOW, KUNNUMAMOODU,
PALUKAL DESOM AND VILLAGE, NEYYATTINKARA,
RESIDING AT T.C 55/315, AMRITHA APARTMENT, KAIMANOM,
THIRUVANANTHAPURAM-695 018.
2. K. SIKHIVAHANAN NAIR, AGED 55 YEARS,
S/O. KRISHNAN PILLAI, EASWARAVILASOM BUNGLOW,
KUNNUMAMMOODU, PALUKAL DESOM AND VILLAGE, NEYYATTINKARA,
AND NOW RESIDING AT T.C.55/315, AMRITHA APARTMENT, KAIMAMOM,
THIRUVANANTHAPURAM-695 018.

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-03-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

OP(C).No. 875 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT-P1- TRUE COPY OF THE PLAINT IN O.S.NO. 51/2014 OF THE
NEYYATTINKARA MUNSIFF COURT.

EXHIBIT-P2- TRUE COPY OF THE WRITTEN STATEMENT FILED BY THE
DEFENDANTS IN O.S.NO. 51/2014 OF NEYYATTINKARA MUNSIFF
COURT.

EXHIBIT-P3- TRUE COPY OF THE INTERIM ORDER DATED 13/01/2014 IN
I.A.NO.262/2014 IN O.S 51/2014 OF NEYYATTINKARA MUNSIFF COURT.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.S.TO JUDGE

sts

P. BHAVADASAN, J.

O.P.(C). No. 875 of 2015

Dated this the 27th day of March, 2015.

JUDGMENT

This is a petition filed under Article 227 of the Constitution of India seeking for a direction to dispose of O.S. 51 of 2014 pending before Munsiff's Court, Neyyattinkara within a time limit fixed by this Court.

2. The petitioners are the defendants in O.S. 51 of 2014 before Munsiff's Court, Neyyattinkara. Second petitioner is the mother of the first petitioner. The suit was filed for a declaration that sale deed No.1265/2013 of S.R.O., Neyyattinkara is ab initio void and for other consequential reliefs. The copy of the plaint is produced as Ext.P1.

3. It is pointed out by the learned counsel for the petitioner that issues have been framed and the suit is ripe

for trial and there is no reason why the suit shall not be disposed of. It is also alleged that unless the suit is disposed of at the earliest, it will cause irreparable injury to the petitioner.

4. In the light of the order that is proposed to be passed in this Original Petition, notice to the respondents appears to be unnecessary.

This Original Petition is disposed of directing Munsiff's Court, Neyyattinkara to take up O.S. 51 of 2014 pending before it and dispose it of as expeditiously as possible, at any rate, within six months from the date of receipt of a copy of this judgment. However, the above direction will not stand in the way of the court below from entertaining any petition and disposing of the same in accordance with law.

sb.

P. BHAVADASAN,
JUDGE