

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. 877 of 2015 (O)

OS.NO. 291/2011 OF FIRST ADDL.SUB COURT, ERNAKULAM

PETITIONER :

SMT. THILOTHAMA SUKUMARAN
W/O.LATE SUKUMARAN, AGED 69
PANTHEEKULATHIL HOUSE
VALLARPADAM P.O.

BY ADV. SRI.S.RAJKUMAR

RESPONDENT(S) :

1. K.K. SURESH
S/O. KANNAN, AGED 51
KARIPPURATHU HOUSE
MOOLAMPILLY P.O. - 682 027.
2. SMT. BEENA SASI
W/O. SASI, AGED 41, VYPITHARA HOUSE
PUTHUVYPU P.O., - 682 508.
3. SUMATHI VELAYUDHAN
W/O. VELAYUDHAN, AGED 63
KARIPPAYIL HOUSE, MULAVUKADU P.O.-682 504.
4. SMT. THANKAMANI SASIDHARAN
W/O. SASIDHARAN, AGED 59
NIKATHITHARA HOUSE, NARRACKAL P.O.-682 505.
5. SMT. MEENAKSHI RAJAN
W/O. RAJAN, AGED 56, KOLOT NIKARTHIL HOUSE
MULAVUKADU P.O. - 682 504.

6. SMT. SOBHA MANI
W/O. MANI, AGED 52, THENGATHARA HOUSE
NJARAKKAL P.O. - 682 505.
7. SMT. SUPRABHA
PEETHAMBARAN, W/O. PEETHAMBARAN
AGED 49, KALIKILAS, NEAR BALABHADRA TEMPLE
ERROR, WEST THRIPPUNITHURA – 682 306.

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

Mn

...3/-

APPENDIX

PETITIONER'S EXHIBITS :

- EXT.P1 : COPY OF THE PLAINT IN OS NO. 291/2011 ON THE FILE OF FIRST
ADDITIONAL SUB COURT, ERNAKULAM.
- EXT.P2 COPY OF THE DECREE DATED 10.2.2012 IN OS NO. 291/2011 ON THE
FILE OF FIRST ADDITIONAL SUB COURT, ERNAKULAM.
- EXT.P3 COPY OF THE PETITION IA NO. 4463/2014 IN OS NO. 291/2011 ON THE
FILE OF FIRST ADDITIONAL SUB COURT, ERNAKULAM.

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.BHAVADASAN, J.

O.P.(C) No. 877 of 2015

Dated this the 27th day of March, 2015

J U D G M E N T

At the time of hearing of the petition, the relief was confined to a direction to the court below to take up Ext.P3 i.e. I.A.No. 4463/2014 in O.S.No. 291/2011 and dispose of the same within a time limit fixed by this Court.

2. The suit was one for partition in which there was an attempt for mediation. It is claimed that the matter was settled on 31.01.2012 and a preliminary decree was passed. Subsequently, preliminary decree was set aside and consequently, the final decree proceedings were dismissed.

3. The grievance of the petitioner is that though she filed a petition to adduce evidence for passing of the preliminary decree, that has not been taken note of and it is kept pending without passing orders thereon. Being a suit of the year 2011, it is claimed that it is highly necessary that the suit be disposed of at the earliest especially being one

for partition.

4. In the nature of the order that is proposed to be passed, it is felt that notice to the respondent is unnecessary.

This petition is disposed of directing the First Additional Sub Court, Ernakulam to take up Ext.P3 i.e. I.A.No. 4463/2014 in O.S.No. 291/2011 and dispose of the same as expeditiously as possible, at any rate, within a period of two months from the date of receipt of a copy of this judgment.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge