

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

MONDAY, THE 30TH DAY OF MARCH 2015/9TH CHAITHRA, 1937

OP(C).No. 886 of 2015

(O.S.282/2013 OF MUNSIF COURT, ADOOR)

PETITIONER:

T.SUDHAKARAN, AGED 56 YEARS
S/O. THANKAPPAN, OZHUKUPARA HOUSE,
MAROOR MURI, ENADIMANGALAM VILLAGE,
ADOOR TALUK.

BY ADV. SRI.SUNIL NAIR PALAKKAT.

RESPONDENTS:

1. JAYARAJAN, AGED 59 YEARS, S/O. CHANDRA SEKHARAN,
CHEMPAKASSERIL HOUSE, MAROOR MURI,
ENADIMANGALAM VILLAGE, ADOOR TALUK - 691 523.
2. CONVENER, SNDP UNION, SNDP BUILDING,
NEAR GOVERNMENT HOSPITAL, ADOOR - 691 523.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
30-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.(C) 886/2015

A P P E N D I X

PETITIONER'S EXHIBITS:

- EXT. P1 : COPY OF PLAINT IN O.S.282/2013 OF MUNSIFF COURT, ADOOR.
- EXT. P2 : COPY OF ORDER DTD.21.12.2013 IN I.A.1582/2013 IN O.S.282/2013 OF MUNSIFF COURT, ADOOR.
- EXT. P3 : COPY OF JUDGMENT DTD. 22.2.14 IN CMA 4/14 OF DISTRICT COURT, PATHANAMTHITTA.
- EXT. P4 : COPY OF I.A.337/2015 IN O.S.282/2013 OF MUNSIFF COURT, ADOOR.

RESPONDENT'S EXHIBITS: NIL.

// True Copy //

P.A. to Judge.

smp

P.BHAVADASAN, J.

Original Petition (Civil) No.886 OF 2015

Dated this the 30^h day of March, 2015.

J U D G M E N T

The limited prayer in this original petition is for a direction to the Munsiff Court, Adoor to take up and dispose of Ext.P4 application as expeditiously as possible.

2. The petitioner points out that he obtained an interim order in his favour and since the 1st respondent failed to comply with the said order, he moved a petition under Order 39 Rule 2A of the Code of Civil Procedure. Though the 1st respondent challenged the interim order before the lower appellate court, he did not succeed. In the meanwhile, 1st respondent is alleged to have filed a statement before the court below stating that he had handed over the entire records to the 2nd respondent. Therefore, the petitioner filed Ext.P4 application to direct the 2nd respondent to hand over all the documents since it is accepted by the court below that the petitioner is a duly elected office bearer of the SNDP Sakha Yogam.

3. The complaint of the petitioner is that the matter being very urgent, the court below ought to have heard it as early as possible instead of being it adjourned. Learned counsel for the petitioner points out that in October 2015, the tenure of the petitioner is likely to be over and if the documents and other materials are not handed over before that, the suit itself become infructuous.

4. In view of the urgency pointed out by the learned counsel for the petitioner, it is felt that the relief sought by the petitioner can be granted.

Therefore, this original petition is disposed of directing the Munsiff Court, Adoor or the learned officer in charge of the said court to take up Ext.P4 application and dispose it of as expeditiously as possible, at any rate, before summer vacation begins.

Registry is directed to communicate the order to the court below telephonically.

Sd/-

P.BHAVADASAN
JUDGE

smp