

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYASHTA, 1937

OP(C).No. 894 of 2015 (O)

(AGAINST THE ORDER IN I.A.NO.2078/2013 IN OS.NO. 396/2013 OF MUNSIFF COURT,
PERUMBAVOOR)

PETITIONER/PLAINTIFF:

C.C.JAMES, AGED 48 YEARS,
S/O.CHACKO, CHIRACKAL HOUSE, MUDAKKUZHA KARA,
VENGOOR WEST VILLAGE, PIN -683 546.

BY ADV. SRI.G.KRISHNAKUMAR

RESPONDENT(S)/DEFENDANTS:

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1. C.C.JOY, AGED 58 YEARS,S/O.CHACKO,
CHIRACKAL HOUSE, MUDAKKUZHA KARA,
VENGOOR WEST VILLAGE, PIN- 683 546.
 2. ALEEZ JOY, W/O.C.C.JOY,
CHIRACKAL HOUSE, MUDAKKUZHA KARA,
VENGOOR WEST VILLAGE, PIN -683 546.

R1 & R2 BY ADV. SRI.T.K.SAJEEV

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-05-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

sts

OP(C).No. 894 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT-P1: TRUE COPY OF THE TEMPORARY INJUNCTION PETITION,
I.E. I.A.NO.2078/2013 WITH INJUNCTION SCHEDULE IN O.S.NO.396/2013
ON THE FILE OF MUNSIF COURT, PERUMBAVOOR.**

**EXHIBIT-P2: TRUE COPY OF THE COMMISSION REPORT AND SKETCH IN
O.S.NO.483/1997.**

**EXHIBIT-P3: TRUE COPY OF THE COMMISSION REPORT IN O.S.396/2013 IN
MUNSIF COURT, PERUMBAVOOR.**

**EXHIBIT-P4: TRUE COPY OF THE COUNTER AFFIDAVIT FILED BY RESPONDENTS
IN EXHIBIT-P1 IA.**

**EXHIBIT-P5: TRUE COPY OF THE ORDER DATED 06.12.2013 IN I.A.NO.2078/2013 IN
O.S.NO.396/2013 OF THE MUNSIF COURT, PERUMBAVOOR.**

**EXHIBIT-P6: TRUE COPY OF THE ADVANCE PETITION IN I.A.NO.182/2015 IN
O.S.NO.396/2015 FILED BEFORE THE MUNSIF COURT.**

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

B.KEMAL PASHA, J.

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O.P.(C). No.894 of 2015

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Dated this the 27th day of May, 2015

J U D G M E N T

The petitioner has preferred Exhibit P1 I.A.No.2078 of 2013 before the court below in O.S.No.396 of 2013. The respondents have entered appearance and filed Exhibit P4 counter dated 15.11.2013.

2. Instead of disposing of the I.A., it seems that the court below has passed an order of status-quo. The same is challenged by the petitioner. This Court has passed an interim order in the matter on 31.03.2015.

3. The court below shall dispose of Exhibit P1 I.A. on merits after hearing both sides, within one month from the date of receipt of a copy of this judgment. Till then the interim order passed by this Court will continue.

With the said directions, this Original Petition (Civil) is disposed of.

Sd/-

**B.KEMAL PASHA
JUDGE**