

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

WEDNESDAY, THE 1ST DAY OF APRIL 2015/11TH CHAITHRA, 1937

OP(C).No. 923 of 2015 (O)

MTOP 366/2014 of MUNNAR SPECIAL TRIBUNAL

PETITIONER(S) :

K.MOHAN RAJ,
SON OF LATE R. KUPPUSWAMY,
NEAR TEA MUSEUM,
NALLATHANNY ROAD, MUNNAR.

BY ADVS.SRI.S.VINOD BHAT
SRI.LEGITH T.KOTTAKKAL

RESPONDENT(S) :

1. SOUTH INDIAN PLANTATION WORKERS UNION (INTUC),
REPRESENTED BY ITS PRESIDENT AND SECRETARY,
MUNNAR - 685 612.
2. A.K. MONI, S/O. KADAKKARAI,
PRESIDENT, SOUTH INDIAN PLANTATION
WORKERS UNION (INTUC),
NADAYAR ROAD, MUNNAR - 685 612.
3. G. MUNIYANDI, S/O. GANAPATHY,
SECRETARY, SOUTH INDIAN PLANTATION
WORKERS UNION (INTUC), MUNNAR - 685 612.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
01-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

O.P.C. 923/2015.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : COPY OF THE PLAINT O.S. 117/2009 OF THE SUB COURT, THODUPUZHA.

EXT. P2 : COPY OF THE WRITTEN STATEMENT FILED IN O.S. 117/2009 ON THE FILE OF SUB COURT, THODUPUZHA.

EXT. P3 : COPY OF THE PETITION I.A. 555/2014 IN M.T.O.P. 366/2014 OF MUNNAL SPECIAL TRIBUNAL, MUNNAR.

P. BHAVADASAN, J.

O.P.(C). No. 923 of 2015

Dated this the 1st day of April, 2015.

JUDGMENT

The limited prayer in this Original Petition is for a direction to Munnar Special Tribunal to take up and dispose of M.T.O.P. 366 of 2014 as expeditiously as possible.

2. The petitioner is sought to get himself impleaded in a petition pending before the Tribunal consequent on the death of his father.

3. The respondents herein filed a suit as O.S. 117 of 2009 before Sub Court, Thodupuzha. In the said suit, late Kuppuswamy was arrayed as the first defendant. Kuppuswamy died while the matter was pending before the Tribunal.

4. Latter the plaint was amended and additional relief as C(a) was added seeking a declaration also.

Respondents 1 and 2 filed written statement and the same is marked as Ext.P2. While O.S. 117 of 2009 was pending trial, and it is about to be taken up for trial by the Sub Court, respondents filed an application seeking transfer of the suit to the Tribunal. That application was allowed and the suit was transferred to the Tribunal and numbered as M.T.O.P. 366 of 2014.

5. It is pointed out that the suit is of the year 2009 and the pendency of the matter causes considerable hardship to the petitioner before this Court. He, therefore, prays for an early disposal of the case.

This Original Petition is disposed of directing the Munnar Special Tribunal to take up M.T.O.P. 366 of 2014 and dispose of the same in accordance with law, provided the matter is ripe for hearing, within a period of six months from the date of receipt of a copy of this judgment. This direction will not preclude the Tribunal from considering any

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application that may be fled by the parties in accordance with law.

sb.

P. BHAVADASAN,
JUDGE