

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. 930 of 2015 (O)

IN E.P. NO.11/2009 IN AR 115/07 OF DISTRICT COURT, KOLLAM

PETITIONER(S) :

M/S. MUTHOOT LEASING AND FINANCE LTD.,
MUTHOOT CHAMBERS, KURIAN TOWER, BANERJEE ROAD,
ERNAKULAM, NOW KNOWN AS M/S. MUTHOOT VEHICLE AND
ASSET FINANCE LTD., MUTHOOT CHAMBERS, II FLOOR,
OPP: SARITHA THEATRE, BANERJE ROAD, ERNAKULAM-18,
REPRESENTED BY POWER OF ATTORNEY HOLDER AND MANAGER,
MADHU E., S/O. LATE KELAPPAN, AGED 35 YEARS,
ASST. MANAGER, MUTHOOT CHAMBERS, IIFLOOR,
OPP: SARITHA THEATRE, BANERJI ROAD, ERNAKULAM-18.

BY ADV. SRI.SHIJU VARGHEESE.

RESPONDENT(S) :

1. JACOB JOHN,
S/O. JOHN K. MATHEW, AGE NOT KNOWN TO THE PETITIONER,
CHEMPAVILA PUTHEN VEEDU, PULAMON P.O.,
KOTTARAKKARA, KOLLAM, PIN-691 531.
2. KUNJUMON,
S/O. KOSHY, AGE NOT KNOWN TO THE PETITIONER,
KALAKKATTU THACHATHIL, ERANOOR,
VETTIKKAVILA, PULAMON P.O.,
KOLLAM, PIN-691 531.

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

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

EXT. P1: COPY OF THE EXECUTION PETITION NO.11/2009 DATED
10/12/2008.

EXT. P2: COPY OF THE AUCTION CERTIFICATE IN EXECUTION PETITION
NO.11/2009 DATED 16/03/2012.

EXT. P3: COPY OF THE EA NO.287/2011 DATED 19/11/2011.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

P.BHAVADASAN, J.

O.P.(C) No. 930 of 2015

Dated this the 01st day of April, 2015

J U D G M E N T

Aggrieved by the non action on the part of the court below in E.P.No. 11/2009 in which the petitioner claims to have filed a petition for delivery of the property which has been sold to him and which lies unattended, the petitioner has approached this Court for a direction for disposal of Ext.P3 petition.

2. After having heard the learned counsel for the petitioner, it is felt that the relief sought for is just and proper.

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

This petition is disposed of directing the District Court, Kollam to take up Ext.P3 petition and dispose it of as expeditiously as possible, at any rate, within a period of one

month from the date of reopening of the court after summer vacation.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge