

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

MONDAY, THE 6TH DAY OF APRIL 2015/16TH CHAITHRA, 1937

OP(C).No. 959 of 2015 (O)

(OS 2069/2013 of MUNSIFF COURT, KODUNGALLUR)

PETITIONER:

SHEEFAN, S/O. SIVARAMAN,
AGED 46 YEARS, PAZAMPILLY HOUSE,
ERIYAD, MADAVANA, KODUNGALLUR.

BY ADVS.SRI.K.S.RAJESH
SRI.M.SHAJU PURUSHOTHAMAN

RESPONDENTS:

1. KERALA GRAMIN BANK, KODUNGALLUR BRANCH,
PIN - 680 664, THRISSUR DISTRICT,
REPRESENTED BY ITS MANAGER.
2. SANKARAN, AGED 74 YEARS,
S/O. KOCHARA, KOCHURAMAN,
MADAVANA, P.O. ERIYAD, KODUNGALLUR,
PIN - 680 666.

BY SRI.DEVAN RAMACHANDRAN, SC, KERALA GRAMIN BANK.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
06-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.(C) 959/2015

A P P E N D I X

PETITIONER'S EXHIBITS:

- EXT. P1 : COPY OF PLAINT DTD. NIL. IN O.S.2069/13 OF MUNSIFF COURT, KODUNGALLUR.
- EXT. P2 : COPY OF ATTACHMENT NOTICE ISSUED BY MUNSIFF COURT AGAINST the 2ND RESPONDENT IN I.A.2375/2013.
- EXT. P3 : COPY OF CLAIM PETITION I.A.2754/2013 DTD.19.11.13 FILED BY PETITIONER IN O.S.2069/2013.

RESPONDENT'S EXHIBITS: NIL.

// True Copy //

P.A. to Judge.

smp

P.BHAVADASAN, J.

Original Petition (Civil) No.959 OF 2015

Dated this the 6th day of April, 2015.

J U D G M E N T

The petitioner who bought the property from the defendant which, according to him, was long before the suit moved the court below to lift the attachment ordered in a suit filed by the plaintiff against the 2nd respondent and two others and release the property.

2. The petitioner claims to have filed a claim petition as early as on 19.11.2013 and his grievance is that except for adjourning the matter on several occasions, nothing has transpired and this vitally affects his rights.

3. The petitioner points out that finally the claim petition was posted to 16.07.2015 and he moved an advance petition and that resulted in the petition being posted to 22.05.2015. The limited prayer is for a direction that at least on 22.05.2015, the matter may be heard and orders may be passed on the same and finality may be given to the claim petition.

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

This original petition is disposed of directing the court below to hear the claim petition filed by the petitioner preferably on 22.05.2015, the date on which the petition is posted, or next week thereafter and dispose of the same in accordance with law, after hearing both parties, within a period of two months from the date of re-opening of the court after summer vacation.

Sd/-

P.BHAVADASAN
JUDGE

smp