

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. 962 of 2015 (O)

(OS 288/2015 of MUNSIFF COURT, CHAVAKKAD)

PETITIONER/1st DEFENDANT:

MUHAMMAD MUSTHAF, AGED 51 YEARS
S/O.HANEEFA C, PADAPANAL, CHIMUKAD P.O
KUTHANNUR-1, KUTTANUR, PALAKKAD.

BY ADVS.SRI.I.DINESH MENON
SRI.L.RAJESH NARAYAN IYER

RESPONDENTS/PLAINTIFF/2ND DEFENDANT:

1. A.V SREENIVASAN, AGED 45 YEARS
S/O.VISHNU, MODHAYIL HOUSE, IRINGAPURAM
GURURVAYOOR 680 101.
2. SANOJ, AGED 32 YEARS
S/O.DASAN, PANTHAYI VATTAVALAPPIL, KUNNAMOOCHI P.O.,
THALAPPILLY TALUK, KANDANASSERY VILLAGE - 680 504.

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

APPENDIX

PETITIONER'S EXHIBITS :

- P1: TRUE COPY OF THE CERTIFICATE OF REGISTRATION.
- P2: TRUE COPY OF THE AGREEMENT FOR SALE DATED 14.11.2014.
- P3: TRUE COPY OF THE AGREEMENT ENTERED INTO BETWEEN THE
PETITIONER AND THE 1ST RESPONDENT IN THE PRESENCE OF THE
POLICE, DATED 03.02.2015.
- P4: TRUE COPY OF THE PLAINT IN OS.NO.288/2015 DATED 30.01.2015.
- P5: TRUE COPY OF THE IA.NO.1161/2015 DATED 30.01.2015.
- P6: TRUE COPY OF THE ORDER DATED 31.01.2015.
- P7: TRUE COPY OF THE OBJECTION DATED 05.02.2015.

RESPONDENT'S EXHIBITS: NIL.

// True Copy //

P.A. To Judge.

smp

P.BHAVADASAN, J.

Original Petition (Civil) No.962 OF 2015

Dated this the 6th day of April, 2015.

J U D G M E N T

The limited prayer in this original petition under Article 227 of the Constitution of India is for a direction to the court below to dispose of Ext.P5 application to which Ext.P7 objection has been filed by the petitioner within a time limit to be fixed by this Court.

2. The petitioner is the 1st defendant in the suit who suffered an interim order in I.A.No.1161/2015. He entered appearance and filed objection to the same and sought for hearing the matter on merits.

3. The complaint of the petitioner is that the matter is not being heard and that causes considerable difficulties to him. He therefore prays for speedy disposal of the matter.

4. In the nature of the order that is proposed to be passed, it is felt that notice to the respondents is unnecessary as none of their rights are affected.

This original petition is disposed of directing the court below to consider Ext.P5 application i.e. I.A.No.1161/2015 in O.S.No.288/2015 on merits and after hearing both parties dispose of the same in accordance with law as expeditiously as possible, at any rate, within a period of two months from the date of re-opening of the court after summer vacation.

Sd/-

P.BHAVADASAN
JUDGE

smp