

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

OP(C).No. 967 of 2015 (O)

O.S.NO.309/2010 OF SUB COURT, PATHANAMTHITTA
AS 39/2015 of D.C. & SESSIONS COURT, PATHANAMTHITTA

PETITIONERS:

1. MANOHARAN R., AGED 55 YEARS,
S/O.K.G.RAMANKUTTY, KRISHNA NIVAS, VETTUVENI MURI,
KARTHIKAPPALLY VILLAGE, HARIPPAD.

2. SHYLAJA, AGED 51 YEARS,
W/O.MANOHRAN, KRISHNA NIVAS, VETTUVENI MURI,
KARTHIKAPPALLY VILLAGE, HARIPPAD.

3. K.G.RAMANKUTTY, AGED 80 YEARS,
S/O.GOVINDAN, KRISHNA NIVAS, VETTUVENI MURI,
KARTHIKAPPALLY VILLAGE, HARIPPAD.

BY ADVS.SRI.P.N.MOHANAN
SRI.C.P.SABARI

RESPONDENTS:

1. MULAMOOTTIL FINANCE & KURIES,
MULAMOOTTIL BUILDINGS, MARKET ROAD, KOZHENCHERRY
PIN-689 641, A PARTNERSHIP FIRM
REPRESENTED BY THE PLAINTIFFS 2 & 3, THE PARTNERS.

2. JACOB THOMAS, AGED 69 YEARS,
S/O.THOMAS, MULAMOOTTIL HOUSE, KOZHENCHERRY,
PIN-689 641, PARTNER OF THE FIRST RESPONDENT.

3. MOLLY JACOB, AGED 59 YEARS
W/O.JACOB THOMAS, MULAMOOTTIL HOUSE, KOZHENCHERRY,
PIN - 689 641, PARTNER OF THE FIRST RESPONDENT.

BY ADV. SRI.V.PHILIP MATHEW

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD
ON 05-06-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

DSV/5/6/15

OP(C) .No. 967 of 2015 (O)

APPENDIX

PETITIONERS' EXHIBITS :

EXT.P1: COPY OF THE JUDGMENT AND DECREE IN OS.NO.309/2010
DTD. 30.6.2011.

EXT.P2: COPY OF THE APPEAL MEMORANDUM WITH STAY PETITION FILED
AS A.S.No.39/2015.

EXT.P3: COPY OF THE SCHEDULE FILED BEFORE THE SUB COURT,
PATHANAMTHITTA IN E.P.NO.95/2013.

RESPONDENTS' EXHIBITS :

NIL

// True Copy //

P.A. To Judge

DSV/5/6/15

B.KEMAL PASHA, J.

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O.P.(C). No.967 of 2015

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Dated this the 5th day of June, 2015

J U D G M E N T

The learned counsel for the petitioners submits that the direction passed by this Court has been complied with. In such case, the respondents can withdraw the said amount from the court below.

This Original Petition (Civil) is disposed of by directing the petitioners to pay the balance decree debt in three equal monthly instalments commencing from 03.07.2015. In case of default of any of the instalments, the execution proceedings shall continue.

Sd/-

**B.KEMAL PASHA
JUDGE**