

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

OP(C).No. 981 of 2015 (O)

(O.S.1004/2011 OF MUNSIF COURT, THRISSUR)
(A.S.173/2014 OF DISTRICT COURT, THRISSUR)

PETITIONER:

GEORGEKUTTY, AGED 56 YEARS,
S/O. KURIAKOSE, THUDIYINAL HOUSE,
MANNAMANGALAM VILLAGE,
THRISSUR DISTRICT.

BY ADV. SRI.M.K.DILEEP KUMAR

RESPONDENT:

JOSE, AGED 63, S/O. LUKA,
KOLAMBIL HOUSE, ALPARA DESOM,
PANAMCHERRY VILLAGE,
THRISSUR DISTRICT, PIN - 680 001.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
07-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.(C) 981/2015

A P P E N D I X

PETITIONER'S EXHIBITS:

- EXT. P1 : COPY OF JUDGMENT IN O.S.1004/2011 DTD.2.6.14 OF
3RD ADDITIONAL MUNSIFF COURT, THRISSUR.
- EXT. P2 : COPY OF MEMORANDUM OF APPEAL FILED AGAINST
EXT.P1 PENDING BEFORE DISTRICT COURT, THRISSUR
AS A.S.172/2014 DTD.14.7.14.
- EXT. P3 : COPY OF MEMORANDUM OF APPEAL FILED AGAINST THE
COUNTER CLAIM IN EXT.P1 PENDING BEFORE DISTRICT
COURT, THRISSUR AS A.S.173/2014 DTD.14.7.14.

RESPONDENT'S EXHIBITS: NIL.

// True Copy //

P.A. to Judge.

smp

P.BHAVADASAN, J.

Original Petition (Civil) No.981 OF 2015

Dated this the 7th 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 District Court, Thrissur to take up A.S.No.172/2014 and A.S.No.173/2014 pending before the said court and dispose them of as expeditiously as possible.

2. The petitioner claims to be a military personnel who suffered decree at the hands of the trial court. He preferred appeal against the decree of the trial court. According to the petitioner, the pathway claimed in the plaint is the only access to his property and it is necessary that the appeals be heard at the earliest.

3. In the nature of the order that is proposed to be passed, it is felt that notice to the respondent is unnecessary since no right of the respondent is affected by the order.

This original petition is disposed of directing the District Court, Thrissur to take up A.S.Nos.172 and 173 of 2014 pending before the said court and dispose of the same as expeditiously as possible, at any rate, within a period of four months from the date of reopening of the court after summer vacation.

Sd/-

P.BHAVADASAN
JUDGE

smp