

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. 992 of 2015 (O)

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(OS 191/2013 of MUNSIFF COURT, ALUVA)

PETITIONER:

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PROPER PRODUCTS PRIVATE LIMITED, COMPANY INCORPORATED UNDER THE INDIAN COMPANIES ACT FORMERLY HAVING ITS REGISTERED OFFICE AT ROOM No.418, WARD No.41, No.4, BALLAVDAS STREET, BARA BAZAR, KOLKATTA - 700 007 AND BRANCH OFFICE AT DOOR No.33/2328 C, PONNURUNNI, CHALIKKAVATTOM, N.H. BYE PASS, ERNAKULAM, KOCHI - 19 AND PRESENTLY HAVING ITS REGISTERED OFFICE AT ROOM No.201, 2ND FLOOR, OMKARMAL MARKET, 161, RAVINDRA SARINI, KOLKATTA, 700 007, WEST BENGAL STATE, REPRESENTED BY ITS DIRECTOR AND AUTHORISED AGENT SRI. MAHESH KUMAR MINTRI, SON OF M.P. MINTRI, AGED 57 YEARS, RESIDING AT HOUSE No.28/2151 A, MAHAMANORAM HOUSE, CHILAVANNOOR ROAD, KADAVANTHARA P.O., ERNAKULAM, KOCHI-20.

BY ADVS.SRI.A.BALAGOPALAN  
SRI.A.RAJAGOPALAN  
SRI.M.S.IMTHIYAZ AHAMMED

RESPONDENTS:

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1. S.MOHANDAS, SON OF LATE K.N. SANKUNNY PILLAI, AGED 66 YEARS, RESIDING AT HOUSE No.17, "MOHANAM", RIVER GARDENS, NEERAMANKARA, KAIMANAM P.O., NEMOM VILLAGE, THIRUVANANTHAPURAM TALUK, THIRUVANANTHAPURAM DISTRICT, PIN - 695 001.
2. K.K. MOHANDAS, SON OF KARUNAKARAN, AGED 64 YEARS, ADVOCATE, RESIDING AT HOUSE No.27, "VAISHAGHAM", V.V. NAGAR, NEDUMBRAM, N.C.C. ROAD, PEROORKADA P.O., KUDAPPANAKUNNU VILLAGE, THIRUVANANTHAPURAM TALUK, THIRUVANANTHAPURAM DISTRICT, PIN - 695 001.
3. C.K. RADHAKRISHNAN, SON OF G. KUTTAPPAN PILLAI, AGED 61 YEARS, RESIDING AT "CHITTOOR HOUSE" BEARING VATTIYOORKAVU PANCHAYATH DOOR No.9/1069, KULASEKHARAM, KODUNGANNOOR, VATTIYOORKAVU P.O., VATTIYOORKAVU VILLAGE, THIRUVANANTHAPURAM TALUK, THIRUVANANTHAPURAM DISTRICT, PIN - 695 014.

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4. VISHNU RADHAKRISHNAN, SON OF RADHAKRISHNAN,  
AGED 27 YEARS, RESIDING AT "CHITTOOR HOUSE" BEARING  
VATTIYOORKAVU PANCHAYATH DOOR No.9/1069,  
KULASEKHARAM, KODUNGANNUR, VATTIYOORKAVU P.O.,  
VATTIYOORKAVU VILLAGE, THIRUVANANTHAPURAM TALUK,  
THIRUVANANTHAPURAM DISTRICT, PIN - 695 014.

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

O.P.(C) 992/2015

A P P E N D I X

PETITIONER'S EXHIBITS:

EXT. P1 : COPY OF PLAINT IN O.S.191/2013 FILED BY PETITIONER  
BEFORE THE MUNSIFF COURT, ALUVA.

EXT. P2 : COPY OF WRITTEN STATEMENT FILED BY R1 AND R2  
HEREIN IN EXT.P1 SUIT.

RESPONDENT'S EXHIBITS: NIL.

// True Copy //

P.A. To Judge.

smp

**P.BHAVADASAN, J.**

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**Original Petition (Civil) No.992 OF 2015**  
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**Dated this the 7<sup>th</sup> day of April, 2015.**

**J U D G M E N T**

The plaintiff has moved this Court under Article 227 of the Constitution of India seeking for a direction to Munsiff Court, Aluva to take up O.S.No.191/2013 pending before the said court and dispose it of as expeditiously as possible.

2. The petitioner points out that the suit is ripe for trial and there is no impediment in disposing of the matter.

3. 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 Munsiff Court, Aluva to take up O.S.No.191/2013 pending before the said court if it is ripe for trial and dispose it of in accordance with law, after hearing the parties, as expeditiously as possible, at any rate, within a period of six months from the date of reopening of the court after summer vacation. It is made clear that this order

will not stand in the way of the court below entertaining any petition filed in the suit.

Sd/-

**P.BHAVADASAN**  
**JUDGE**

smp