

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

OP(C).No. 1012 of 2015 (O)

E.P.NO. 132/2009 IN OS 248/2015 of ADDL.SUB COURT, NORTH PARAVUR

PETITIONER :

**VENUGOPAL, AGED 65 YEARS,
S/O. RAMAN, ODASSERY HOUSE,
CHERAI KARA, PALLIPPURAM VILLAGE,
CHERAI P.O., ERNAKULAM DISTRICT PIN-683514.**

BY ADV. SRI.V.A.PRADEEP KUMAR

RESPONDENTS :

- 1. GOLDWIN KURIES,
REPRESENTED BY MANAGING PARTNER,
RADHAKRISHNAN, S/O. KOCHUNNI,
KURIPPILLYSSE HOUSE, CHERAI KARA,
PALLIPPURAM VILLAGE, ERNAKULAM DISTRICT
PIN - 683514.**
- 2. VIJAYAN, AGED 50 YEARS, S/O. BABY,
ODASSERIL HOUSE, CHERAI KARA, PALLIPPURAM VILLAGE,
CHERAI P.O., ERNAKULAM DISTRICT PIN - 683514.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 08-04-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

bp

OP(C).No. 1012 of 2015 (O)

APPENDIX

PETITIONER'S EXHIBITS :

- P1: COPY OF THE E.P. NO. 132/2009 IN O.S. NO. 248/2005 FILED BEFORE THE ADDITIONAL SUB COURT, NORTH PARAVUR.
- P2: COPY OF THE AFFIDAVIT FILED BY THE R1 IN EP NO. 132/2009 IN OS NO. 248/2005 ON THE FILE OF THE SUB COURT, NORTH PARAVUR, DT 20/1/2015.
- P3: COPY OF THE COUNTER AFFIDAVIT IN E.P. N. 132/2009 IN OS NO.248/2005 ON THE FILE OF THE ADDITIONAL SUB COURT, NORTH PARAVUR, DT 24/2/2015.

RESPONDENT'S EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

P.BHAVADASAN, J.

O.P.(C) No.1012 of 2015

Dated this the 08th 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 Additional Sub Court, North Paravur to issue copy of the order dated 31.3.2015 in E.P. Np. 132/2009 in O.S.No.248/2015 whereby, the court below has issued warrant against the petitioner.

2. The suit was one for money which was decreed against the petitioner. In execution, arrest was sought for and warrant of arrest was issued. The petitioner points out that he is advanced in age and he has got details to show that warrant could not have been issued. Whatever that be, it is pointed out that the court below has issued warrant against the petitioner. Even though he has applied for a copy of the order, the same has not been obtained so far thus preventing him from pursuing further steps in that

regard.

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

This petition is disposed of directing the court below to issue certified copy of the order dated 31.03.2015 in in E.P. Np. 132/2009 in O.S.No.248/2015 within a week of re-opening of the court after summer vacation and till the copy is given to the petitioner or it is made available to the petitioner, the execution of warrant shall be kept in abeyance.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge