

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. 1031 of 2015 (O)

OS 262/2007 of PRINCIPAL SUB COURT, NORTH PARAVUR.

PETITIONER(S):

M.J.THOMAS, S/O. LATE JOSEPH,
AGED 58 YEARS,
ST. VINCENT CROSS ROAD, ERNAKULAM,
ERNAKULAM VILLAGE, KANAYANNUR TALUK.

BY ADVS.SRI.K.C.CHARLES
SRI.M.POLY MATHAI
SRI.VIMAL K.CHARLES
SMT.A.T.RENJU

RESPONDENT(S):

VIJAYAN, S/O. KRISHNAN,
S/O. KRISHNAN, AGED 53,
RAJESH BHAVAZN,
RAYIMMEL, CHENGAMANADU,
ALUVA TALUK, PIN -682 337.

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

O.P.C. 1031 OF 2015.

APPENDIX

PETITIONERS' EXTS:

EXT. P1: A TRUE COPY OF THE DECREE IN O.S. NO. 262/2007 DATED 30.9.2009 ON THE FILE OF THE SUB COURT, NORTH PARAVUR.

EXT. P2 : A TRUE COPY OF E.P. NO. 145/2010 IN O.S.NO. 262/2007 DATED 15.1.2010 FILED BY THE PETITIONER IN THE SUB COURT, NORTH PARAVUR ON 23.3.2010.

EXT. P3 : A TRUE COPY OF THE PROOF AFFIDAVIT DATED 7.2.2014 FILED BY THE PETITIONER.

P. BHAVADASAN, J.

O.P.(C). No. 1031 of 2015

Dated this the 8th day of April, 2015.

JUDGMENT

An Execution Petition filed in 2010 for execution of a money decree is still lies as such even after a lapse of five years. Even though the petitioner claims to have filed proof affidavit as early as on 7.2.2014, nothing much transpired thereafter. Under these circumstances, he has approached this Court for a direction to the court below to dispose of the execution petition as expeditiously as possible.

2. In the nature of the order that is proposed to be passed in this Original Petition, notice to the respondent appears to be unnecessary.

This Original petition is disposed of directing Sub Court, North Paravur or the transferee court to take up E.P. 145 of 2010 in O.S. 262 of 2007 and dispose of the same as expeditiously as possible, at any rate, within a period of four

O.P.(C).1031/2015.

2

months from the date of re-opening of the court after summer vacation.

sb.

P. BHAVADASAN,
JUDGE