

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

OP(C).No. 1047 of 2015 (O)

(AS 72/2013 & A.S.76/2013of DISTRICT COURT, THRISSUR)

PETITIONER:

KARTHIYAYYANI AMMA, D/O. KOLARI JANAKI AMMA,
THEKKEKARA, KACHERIPADY, VAILATHOOR, TRICHUR.

BY ADVS.SRI.T.M.SUNIL
SRI.GEORGE KURUVILLA(ALAPPUZHA)

RESPONDENT:

PRABHAVATHY, D/O. KOLARI KARTHIYAYYANI AMMA,
CHOONDAL, THAVANUR, TALAPILLY, TRICHUR.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
09-04-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.(C) 1047/2015

A P P E N D I X

PETITIONER'S EXHIBITS:

- EXT. P1 : COPY OF MEMORANDUM OF APPEAL A.S.72/2013
DTD.30.3.13 ON THE FILE OF DISTRICT COURT,
TRICHUR.
- EXT. P2 : COPY OF I.A.885/2015 IN A.S.72/2013 DTD.19.3.15.
- EXT. P3 : COPY OF I.A.884/2015 IN A.S 76/2013 DTD.19.3.15.

RESPONDENT'S EXHIBITS: NIL.

// True Copy //

P.A. To Judge.

smp

P.BHAVADASAN, J.

Original Petition (Civil) No.1047 OF 2015

Dated this the 9th day of April, 2015.

J U D G M E N T

The petitioner who claims to be a senior citizen was the defendant in O.S.No.435/2010. Apart from resisting the suit, she filed counter claim. The suit was dismissed and counter claim was allowed and the respondent in the counter claim was granted three months' time to vacate the premises and to remove all her belongings. Two appeals were filed by the respondent in the present petition as A.S.Nos.72 and 76 of 2013 before the District Court, Thrissur and stay was obtained from the court.

2. The petitioner points out that though she obtained a decree in her favour directing the respondent to vacate the premises, she could not enjoy the fruits of the decree due to the stay order passed by the lower appellate court. She also points out that she has been making every attempt to have the appeals heard but the matter is being adjourned from time to time. The petitioner claims that she is advanced in age and if the present

situation continues, she may not be able to enjoy the fruits of the decree. She therefore prays for expeditious disposal of the appeals pending before the District Court, Thrissur.

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

This original petition is disposed of directing the District Court, Thrissur to take up A.S.Nos.72 and 76 of 2013 on 22.05.2015 and dispose them of in accordance with law within a period of three months therefrom.

Sd/-

**P.BHAVADASAN
JUDGE**

smp