

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 193

OP(C).No. 1480 of 2015 (O)

I.A.NO.1217/2015 IN O.S.NO.239/2012 OF THE MUNSIFF COURT, KOCHI

PETITIONER(S) :

- 1. P.N.RADHAKRISHNAN, AGED 72 YEARS,
S/O.NARAYANAN, PUTHENVEETIL, PANCHAYATH RAJ ROAD,
PALLURUTHY, COCHIN - 682 006.**
- 2. I.C.GANESH,
S/O.CHELLAPPAN, PUNNAKAPALLI, SDPY ROAD,
PALLURUTHY, COCHIN - 682 006.**

**BY ADVS.SRI.DINESH R.SHENOY
SMT.K.K.JYOTHILAKSHMY**

RESPONDENT(S) :

- 1. SREE DHARMA PARIPALANA YOGAM,
PALLURUTHY, KOCHI - 6, REPRESENTED BY ITS PRESIDENT,
SREE DHARMA PARIPALANA YOGAM SREE NARAYANA NAGAR,
PALLURUTHY, KOCHI -682 006.**
- 2. C.P.ANIL KUMAR,
PRESENT PRESIDENT SREE DHARMA PARIPALANA YOGAM,
S.N.NAGAR, PALLURUTHY, KOCHI - 682 006.**
- 3. P.S.SATISAN,
S/O.SHANMUGHAN, POLLAYIL, PERUMPADAPPU,
KOCHI - 6, PRESENT DEVASWOM MANAGER, SDPY,
S.N.JUNCTION, PALLURUTHY, KOCHI - 682 006.**
- 4. V.K.PRADEEP, S/O.KUTTIKRISHNAN VAIDHYAR,
VELLEZHATHU, NEAR PASHNITHODU BRIDGE, EDAKOCHI - 682 006.**
- 5. SAJAN MANNALY
ADVOCATE (RETURNING OFFICER, SDP YOGAM), MANNALY HOUSE,
NEAR ABAD HOTEL, .**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 06-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

APPENDIX

PETITIONER(S)' EXHIBITS :

- EXT.P-1:** TRUE PHOTOCOPY OF JUDGEMENT DATED 26.09.2012 IN O.P(C) NO.3106/2012, HIGH COURT OF KERALA.
- EXT.P-2:** TRUE PHOTOCOPY OF JUDGEMENT DATED 27.09.2013 IN OP(C) NO.2573/2013, HIGH COURT OF KERALA.
- EXT.P-3:** TRUE PHOTOCOPY OF JUDGEMENT DATED 11.08.2014 IN OP(C)NO.4320/2011, HIGH COURT OF KERALA.
- EXT.P-4:** TRUE PHOTOCOPY OF COMMON JUDGEMENT DATED 20.02.2015 IN OP(C)NO.297/2015, HIGH COURT OF KERALA.
- EXT.P-5:** TRUE PHOTOCOPY OF MEDICAL CERTIFICATE ISSUED BY DR.K.MADHUKUMAR DATED 06.03.2015.
- EXT.P-6:** TRUE PHOTOCOPY OF THE MEDICAL RECORDS OF THE FIRST PETITIONER FROM THE MEDICAL TRUST HOSPITAL, ERNAKULAM.
- EXT.P-7:** TRUE PHOTOCOPY OF THE MEDICAL RECORDS OF THE FIRST PETITIONER FROM THE FATHIMA HOSPITAL.
- EXT.P-8:** TRUE PHOTOCOPY OF DISCHARGE SUMMARY ISSUED FROM THE MEDICAL TRUST HOSPITAL, ERNAKULAM.
- EXT.P-9:** TRUE PHOTOCOPY OF THE JUDGEMENT DATED 31.03.2015 IN OP(C) NO.707/2015, HIGH COURT OF KERALA.
- EXT.P-10:** TRUE PHOTOCOPY OF THE LIST OF DOCUMENTS TO BE PRODUCED DATED 27.10.2014.
- EXT.P-11:** TRUE PHOTOCOPY OF IA NO.1217/2015 IN OS NO.239/2012, MUNSIFF COURT, KOCHI.
- EXT.P-12:** TRUE TYPED COPY OF ORDER DATED 15.06.2015 IN IA NO.1217/2015 IN OS NO.239/2012, MUNSIFF COURT, KOCHI.

RESPONDENT(S)' EXHIBITS :

NIL

//TRUE COPY//

P.A.TO JUDGE.

B.KEMAL PASHA, J.

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O.P.(C).No.1480 of 2015

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Dated this the 6th day of July, 2015

J U D G M E N T

Heard the learned counsel for the petitioners and perused the report from the learned Principal Munsiff, Kochi.

2. It has been reported that even though I.A.No.1217 of 2015 was filed by the plaintiffs for an opportunity to their counsel and 4 associates to peruse the documents and to take notes from the voluminous documents, the details of the said 4 associates were not mentioned and therefore, the plaintiffs and their counsel alone were permitted to peruse the records. The petitioners are permitted to move the court below once again by furnishing the details of those associates, who should accompany the plaintiffs and the learned counsel for the plaintiffs, to verify the records. On

getting such application, the court below shall pass appropriate orders.

With the said observations this Original Petition (Civil) is closed. Further, the court below shall dispose of Exhibit P10 application on merits as expeditiously as possible.

Sd/-

B.KEMAL PASHA
JUDGE

DSV/6/7/15