

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 9TH DAY OF JULY 2015/18TH ASHADHA, 1937

OP(C).No. 1620 of 2015 (O)

EA NO. 132/2015 IN EP NO. 98/2001 IN OS 251/1995 OF SUB COURT, OTTAPPALAM

PETITIONER :

KUNHUMOIDEENKUTTY, 68 YEARS
S/O.MOHAMMED, THELATH HOUSE, RAYIRANELLUR AMSOM, DESOM
THIRUVEGAPURA, NEDUNGOTTUR POST.

BY ADV. SRI.R.SREEHARI

RESPONDENT(S) :

1. KADEEJA UMMA
75 YEARS, W/O. LATE AHAMMEDKUTTY, THENGUMTHODI
RAYIRANELLUR AMSOM, NEDUNGOTTUR DESOM
NEDUNGOTTUR POST, PIN - 679 308.
2. PATHUMMAKUTTY,
D/O. KUNHIMOIDEEN HAJI, THENGUMTHODI
MOORKKANAD AMSOM, DESOM
MOORKKANAD POST, MALAPPURAM DISTRICT
PIN - 679 338.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 09-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Mn

...2/-

OP(C).No. 1620 of 2015 (O)

APPENDIX

PETITIONERS' EXHIBITS :

- EXHIBIT-P1- TRUE COPY OF THE JUDGMENT IN O.S.NO. 251/1995 OF SUB COURT, OTTAPALAM DATED 08/12/1998.
- EXHIBIT-P2- PHOTOCOPY OF THE PRELIMINARY DECREE PASSED IN O.S.NO.251/1995 OF SUB COURT, OTTAPALAM DATED 08/12/1998.
- EXHIBIT-P3- AFFIDAVIT FILED IN SUPPORT OF E.A 132/2015 IN E.P 98/2001 IN O.S NO.251/1995 OF SUB COURT, OTTAPALAM (PHOTOCOPY).
- EXHIBIT-P4- PHOTOCOPY OF THE OBJECTION FILED IN E.A 132/2015 IN E.P 98/2001 IN O.S 251/1995 OF SUB COURT, OTTAPALAM.
- EXHIBIT-P5- PHOTOCOPY OF THE ORDER IN E.A 132/2015 IN E.P 98/2001 IN O.S 251/1995 OF SUB COURT, OTTAPALAM DATED 19/06/2015.
- EXHIBIT-P6- PHOTOCOPY OF AFFIDAVIT FILED IN SUPPORT OF E.A.NO. 87/2015 IN E.P 98/2001 IN O.S 251/1995 OF SUB COURT, OTTAPALAM.

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

B.KEMAL PASHA, J.

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O.P.(C).No.1620 of 2015

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Dated this the 9th day of July, 2015

J U D G M E N T

Heard the learned counsel for the petitioner.

2. Delivery has been ordered in execution of a decree.

When the Amin went to the spot for effecting delivery, the same was allegedly obstructed, and a report to that effect was filed by the Amin before the court below. The court below had ordered police assistance for the Amin for effecting delivery through Exhibit P5 order. The same is under challenge.

3. On hearing the learned counsel for the petitioner and on a perusal of the records, I do not think that there is anything to interfere with Exhibit P5 order. This Original

Petition (Civil) is devoid of merits and is only to be dismissed and I do so.

In the result, this Original Petition (Civil) is dismissed.

Sd/-
B.KEMAL PASHA
JUDGE

DSV/9/7/15