

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. 1625 of 2015 (O)

OP.NO.1/2015 OF SUB COURT, HOSDURG

PETITIONER(S):

P.SUKUMARAN NAIR, AGED 59 YEARS,
S/O. P.KUNHAMBU NAIR, RESIDING AT VIJAYANTHI
PEROLE IN PEROLE VILLAGE, HOSDURG TALUK
P.O.NILESHWAR.

BY ADVS.SRI.G.HARIHARAN
SRI.PRAVEEN.H.

RESPONDENT(S):

1. N.K BALAKRISHNAN MEMORIAL TRUST,
REPRESENTED BY ITS CHAIRMAN, NILESHWAR, PIN - 671 314.
2. THE SECRETARY,
SRI.N.K.BALAKRISHNAN MEMORAL TRUST
REGISTERED UNDER THE REGISTRATION OF SOCIETIES
ACT BEARING NO. 188/1998,
HAVING OFFICE AT N.K.BALAKRISHNAN MEMORIAL HOSPITAL
NEAR FCI, NILESHWAR, PEROLE VILLAGE
HOSDURG TALUK, PIN - 671 312.
3. THE TREASURER,
SRI.N.K.BALAKRISHNAN MEMORAL TRUST,
REGISTERED UNDER THE REGISTRATION OF SOCIETIES
ACT BEARING NO. 188/1998,
HAVING OFFICE AT N.K.BALAKRISHNAN MEMORIAL HOSPITAL
NEAR FCI, NILESHWAR, PEROLE VILLAGE
HOSDURG TALUK, PIN - 671 312.
4. PARAMESHWARAN MOOSAD N,
S/O. PARAMESHWARAN MOOSAD,
RESIDING AT NAGERILLAM PUDUKAI VILLAGE,
PUDIKKAL P.O., NILESHWAR - 671 314.

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5. K.V.CHANDUKUTTY, AGED 70 YEARS,
S/O. K.V.KUNHAMBU,
RESIDING AT 'SOUPARNIKA' NEAR L.V TEMPLE HOSDURG VILLAGE
P.O.KANHANGAD - 671 315.
6. THOTTYIL HAMZA, AGED 54 YEARS
RESIDING AT 'DARUSA ADHA', THOTTY
PALLIKKARA VILLAGE P.O., PALLIKKARA - 671 318.
7. MUHAMMED KUNHI, AGED 59 YEARS,
RESIDING AT 'ALEEMA PALACE', THOTTY
PALLIKKARA VILLAGE P.O., PALLIKKARA - 671 318.
8. DR.V.GANGADHARAN, AGED 60 YEARS,
S/O. RAMAN, RESIDING AT JYOTSNAM PUDUKKAI VILLAGE
PUDUKKAI P.O., NILESHWAR - 671 314.
9. M.DAMODARAN, AGED 60 YEARS
S/O. RAMAN, 'SURABHILAM' PATTENA ROAD
NILESHWAR VILLAGE, P.O.NILESHWAR - 671 314.
10. LAKSHMANAN, AGED 68 YEARS
M.KORAN, RESIDING AT 'SAGAR', WEAVERS STREET,
NILESHWAR VILLAGE, HOSDURG TALUK,
P.O.NILESHWAR - 671 314.
11. K.K.BALAKRISHNAN, AGED 70 YEARS
S/O. K.K.KORAN, RESIDING NEAR POLICE STATION,
MANNAPURAM, NILESHWAR VILLAGE,
P.O.NIKESHWAR - 671 314.
12. V.V.KUNHAMBU, AGED 80 YEARS,
S/O. GOVINDAN V.V.M. RESIDING AT 'POURNIMA' KOTTAPPURAM,
NILESHWAR - 671 314.
13. P.SREEDHARAN, AGED 70 YEARS,
S/O. RAMAN VAIDYAR, RESIDING AT 'RAJEEV' RAJA ROAD,
P.O.NILESHWAR - 671 314.
14. EYYAKKAT KRISHNAN, AGED 57 YEARS,
S/O. M.V.KUNHAMBADI, RESIDING AT 'MATTUMMAL HOUSE,'
THAIKKADAPPURAM, NILESHWAR - 671 314.
15. C.M.NARAYANAN NAIR, AGED 70 YEARS,
S/O. PAINI RAMAN NAIR,
RESIDING AT 'OARVATHI' KOZHUNDIL ROAD,
NILESHWAR VIULLAGE, NILESHWAR P.O - 671 314.

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16. K.M.DAMODARAN, AGED 80 YEARS,
RESIDING AT 'SANGAMAM', PEROLE, PEROLE VILLAGE,
P.O.NILESHWAR - 671 314.
17. T.K.MURALIDHARAN, AGED 63 YEARS,
S/O. KANNAN,
RESIDING AT 'SOUMYA' NEAR POLICE STATION,
NILESHWAR VILLAGE, P.O.NILESHWAR - 671 314.
18. P.U.DINACHANDRAN NAIR, AGED 68 YEARS,
S/O. K.T.KUNHAMBUR VAIYAR, RESIDING AT 'SREEVALSAM',
PADINHATTOM KOZHUVAL, NILESHWAR VILLAGE,
P.O.NILESHWAR - 671 314.
19. SHANKARAN NAMBIAR, AGED 80 YEARS,
S/O. C.K.KUNHIRAMAN NAMBIAR, RESIDING AT 'AISHWARYA',
PADINHATTOM KOZHUVAL, NILESHWAR VILLAGE,
P.O NILESHWAR - 671 314.
20. K.M.THMABN NAIR, AGED 57 YEARS,
S/O. P.U.KANNAN NAIR, RESIDING AT 'THEJAS'
PADINHATTAM KOZHUVAL, NILESHWAR VILLAGE,
P.O.NILESHWAR - 671 314.
21. P.RAMESHAN NAIR, AGED 54 YEARS
S/O. KUNHAMBUR NAIR, RESIDING AT 'PARPPIDAM'
PADINHATTAM KOZHUVAL, NILESWAR VILLAGE
P.O.NILESHWAR - 671 314.
22. K.RAJAGOPALAN NAIR K, AGED 57 YEARS,
S/O. K.KUNHIRAMAN NAIR,
RESIDING AT 'SREENILAYAM' PADINHATTAM KOZHUVAL,
NILESHWAR VILLAGE, P.O.NILESHWAR - 671 314.
23. P.NRAYANAN, AGED 70 YEARS
S/O. KUNHIRAMAN, RESIDING AT 'MURALIKA', PATTEN
PEROLE VILLAGE, P.O.NILESHWAR - 671 314.
24. SASHI K.P, AGED 54 YEARS,
S/O. M.KRISHNAN NAIR, RESIDING AT 'PAINI' HOUSE,
PADINHATTAM KOZHUVAL, NILESHWAR VILLAGE,
P.O.NILESHWAR - 671 314.
25. K.K.NARAYANAN, AGED 60 YEARS,
S/O. PERATTUR PONNAPPAN, PROPRIETOR,
NILESHWAR GAS AGENCY, RAJAH ROAD, NILESHWAR VILLAGE,
P.O.NILESHWAR - 671 314.

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26. A.VINOD KUMAR, AGED 60 YEARS,
S/O. A.RAGHAVAN NAIR, RESIDING AT 'ANIKKAL' HOUSE,
PATTENA, PEROLE VILLAGE, P.O.NILESHWAR - 671 314.
27. K.K.JEEVANAND, AGED 54 YEARS,
ADVOCATE HAVING OFFICE AT HOSDURG, HOSDURG VILLAGE,
P.O.KANHANGAD - 671 312.
28. P.PADMANABHAN, AGED 60 YEARS,
RESIDING AG 'KANJIYIL' HO8USE, NEAR KRISHI BHAVAN,
CHERUVATHUR VILLAGE, P.O.CHERUVATHUR - 671 313.

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

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APPENDIX

PETITIONER(S)' EXHIBITS

- P1 - TRUE COPY OF THE ORIGINAL PETITION FILED BEFORE THE SUB COURT, HOSDURG AS OP 1/2015.**
- P2 - TRUE COPY OF THE PLAINT FILED ALONG WITH EXT. P1 ORIGINAL PETITION.**
- P3 - TRUE COPY OF THE ORDER DT. 23.5.15 PASSED BY THE DISTRICT REGISTRAR, KASARGOD.**
- P4 - TRUE COPY OF THE AFFIDAVIT AND PETITION FILED IN IA 242/2015 IN OP 1/2015 BEFORE THE SUB COURT HOSDURG.**
- P5 - TRUE COPY OF THE AFFIDAVIT AND PETITION FILED AS IA 243/2015 IN OP 1/2015 BEFORE THE SUB COURT HOSDURG.**
- P6 - TRUE COPY OF THE DRAFT PAPER PUBLICATION APPROVED BY THE SUB COURT, HOSDURG DT. 19.6.15.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

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B.KEMAL PASHA, J.

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O.P.(C).No.1625 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. The court below is directed to dispose of Exhibit P5 application seeking appointment of a Receiver, as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this judgment.

This Original Petition (Civil) is disposed of accordingly.

Sd/-

**B.KEMAL PASHA
JUDGE**