

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 19TH DAY OF AUGUST 2015/28TH SRAVANA, 1937

OP(C) .No. 1673 of 2015 (O)

I.A.NO.1719/15 IN OS 108/2014 of MUNSIFF COURT, TIRUR

PETITIONER(S) :

1. A.P.MOIDEENKUTTY HAJI, AGED 40 YEARS,
S/O.MAMMIKKUTTY, RESIDING AT ANNACHAMPALLY,
KOTTU DESOM, TIRUR AMSOM, TIRUR TALUK.

2. ABOOBACKER SIDDIQUE,
S/O.A.P.MOIDEENKUTTY HAJI, RESIDING AT ANNACHAMPALLY,
KOTTU DESOM, TIRUR AMSOM, TIRUR TALUK.

BY ADV. SRI.M.SREEKUMAR

RESPONDENTS:

1. PAYYAPPANTHA VELAYUDHAN,
RESIDING AT PAYYAPPANTHA, THUMARAKKAVU DESOM,
TIRUR AMSOM, TIRUR TALUK-676 101
RETIRED ASSISTANT EXECUTIVE ENGINEER, KSEB.

2. PAYYAPPANTHA NARAYANAN,
RESIDING AT PAYYAPPANTHA, THUMARAKKAVU DESOM,
TIRUR AMSOM, TIRUR TALUK-676 101

3. PAYYAPPANTHA MOHANDAS,
RESIDING AT PAYYAPPANTHA, THUMARAKKAVU DESOM,
TIRUR AMSOM, TIRUR TALUK-676 101

R1-R3 BY ADV. SRI.JAMSHEED HAFIZ

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION
ON 19-08-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

DSV/20/8/15

OP(C) .No. 1673 of 2015 (O)

APPENDIX

PETITIONERS' EXHIBITS :

P1 : COPY OF THE PLAINT IN OS.NO.108/2014 ON THE FILE OF
MUNSIFF COURT, TIRUR DATED 12-3-2014 FILED BY RESPONDENTS.

P2 : COPY OF THE WRITTEN STATEMENT FILED BY PETITIONERS IN
OS.NO.108/2014 ON THE FILE OF THE MUNSIFF COURT, TIRUR, DATED
16-7-2014.

P3 : COPY OF PETITION, IA.NO.1719/2015 IN OS.NO.108/2014
FILED BY RESPONDENTS DATED 30-6-2015.

P3(A) : COPY OF ORDER ENDORSED IN EXT P3 DATED 1-7-2015.

P4 : COPY OF PETITION, IA.NO.1732/2015 IN OS.NO.108/2014
FILED BY RESPONDENTS DATED 2-7-2015.

P5 : COPY OF PETITION, IA.NO.1733/2015 IN OS.NO.108/2014,
FILED BY RESPONDENTS DATED 2-7-2015.

RESPONDENTS' EXHIBITS :

NIL

// True Copy //

P.A. To Judge

DSV/20/8/15

B.KEMAL PASHA, J.

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O.P.(C). No.1673 of 2015

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Dated this the 19th day of August, 2015

J U D G M E N T

In the suit before the court below, an I.A. seeking an order of temporary injunction was filed. The court below had passed an order of temporary injunction. Subsequently the suit was dismissed. Till then the order of temporary injunction was in force. On the dismissal of the suit, the court below has passed an order of status-quo for one month thereby enabling the plaintiff to approach the appellate court and to seek further interim orders. Thereafter, an appeal was filed as A.S.No.77 of 2015 before the Sub Court, Thirur. The Sub Court has passed an order of status-quo in the matter.

2. What is under challenge here is the order of status-quo passed by the trial court for the period after dismissal of the suit for one month. This Original Petition (Civil) has become infructuous as the said order is no longer in force.

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

Sd/-

B.KEMAL PASHA
JUDGE

DSV/19/8/15