

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 15TH DAY OF JULY 2015/24TH ASHADHA, 1937

OP(C).No. 1684 of 2015 (O)

IA.NO.465/2015 IN CMA.NO.21/2015 OF SUB COURT, CHERTHALA
.....

PETITIONER(S)/PETITIONER/APPELLANT IN CMA:

**ANILKUMAR V. @ SIVANKUTTY,
S/O VIJAYAN, JANAKI NILAYAM, THURAVOOR P.O.,
CHERTHALA, ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.BECHU KURIAN THOMAS
SRI.S.SREEDEV**

RESPONDENT(S)/RESPONDENTS IN I.A./RESPONDENTS IN CMA:

- 1. K.PURUSHOTHAMAN NAIR, AGED 55 YEARS,
S/O KESAVA KURUP, KADAMBATT VEETIL, THURAVOOR P.O.,
CHERTHALA, PIN:688 532.**
- 2. ARUN P.NAIR,
S/O K.PURUSHOTHAMAN NAIR, KADAMBATT VEETIL,
THURAVOOR P.O., CHERTHALA, PIN:688 532.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 15-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

OP(C).No. 1684 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

EXHIBIT P1: TRUE COPY OF PLAINT IN OS 138/2015 ON THE FILES OF MUNSIFF COURT, CHERTHALA.

EXHIBIT P2: TRUE COPY OF THE AFFIDAVIT AND PETITION IN I.A.NO.870/2015 IN OS NO.138/2015 ON THE FILES OF THE MUNSIFFS COURT, CHERTHALA.

EXHIBIT P3: TRUE COPY OF THE COMMISSION REPORT FILED BY THE ADVOCATE COMMISSIONER IN I.A.871/2015 IN OS 138/2015 DATED 30.3.2015.

EXHIBIT P4: TRUE COPY OF THE COUNTER AFFIDAVIT FILED BY THE RESPONDENTS IN IA NO.870/2015.

EXHIBIT P5: TRUE COPY OF THE REPLY AFFIDAVIT FILED BY THE PLAINTIFF IN IA 870/2015 IN OS NO.138/2015.

EXHIBIT P6: TRUE COPY OF THE ORDER OF THE ADDITIONAL MUNSIFF COURT CHERTHALA DATED 10.4.2015 IN IA 870/2015 IN O.S.138/2015.

EXHIBIT P7: TRUE COPY OF THE MEMORANDUM OF APPEAL FILED IN CMA NO.21/2015.

EXHIBIT P8: TRUE COPY OF THE APPLICATION FOR INJUNCTION AS I.A.NO.465/2015 IN CMA NO.21/2015 ON THE FILES OF THE SUB COURT, CHERTHALA.

EXHIBIT P9: TRUE COPY OF THE I.A.NO.538/2015 IN I.A.NO.465/2015 IN C.M.A.NO.21/2015 ON THE FILES OF THE SUB COURT, CHERTHALA.

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

B. KEMAL PASHA, J.

.....
O.P.(C) No. 1684 of 2015
.....

Dated this the 15th 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 Ext.P8, as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment. In the mean time, if any construction works are carried out, that shall be subject to the orders passed by the court below in Ext.P8.

The Original Petition is disposed of as above.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge