

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 11TH DAY OF AUGUST 2015/20TH SRAVANA, 1937

OP(C).No. 4118 of 2013 (O)

**AS.NO. 10/2012 OF SUB COURT, PAYYANNUR
EP.NO. 273/2013 OF MUNSIF COURT., KANNUR**

PETITIONER(S):

- 1. PADUVAPURAKKAL DR.SEBASTIAN SAKKARIAHS,
S/O.LATE DR.SAKKARIAS,AGED 58 YEARS,
TALAP, KANNUR NORTH,
KANNUR AMSOM AND DESOM.**
- 2. CHIRAYATHU THOMAS C.JOSEPH,
S/O.DR.OUSEPH, AGED 54 YEARS,C-11-208, CONDONMENT,
KANNUR NORTH AMSOM & DESOM.**

BY ADV. SRI.MAHESH V RAMAKRISHNAN

RESPONDENT :

**K.T. MOOSA HAJI,S/O.FARID, AGED 60 YEARS,
BUSINESSMAN, K.T.M.HOUSE,
MUDERI AMSOM, DESOM, P.O.MUDERI,
KANNUR-670 591.**

**THIS OP (CIVIL) HAVING BEEN FINALLY HEARD
ON 11-08-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

OP(C).No. 4118 of 2013 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE COPY OF THE EXECUTION PETITION IN E.P.NO.273/2013 DATED 12.08.2013 ON THE FILE OF THE MUNSIFF COURT, KANNUR.
- P2- TRUE COPY OF THE DECREE DATED 25.10.2011 OF MUNSIFF COURT, TALIPARAMBA, IN O.S.NO.189/2008.
- P3- TRUE COPY OF MEMORANDUM OF APPEAL DATED 1.02.2012 IN A.S.NO.10/2012 SUB COURT, PAYYANUR.
- P4- TRUE COPY OF THE AFFIDAVIT DATED 1.02.2012 FILED IN SUPPORT OF I.A.NO.307/2012 IN A.S.NO.10/2012, SUB COURT, PAYYANUR.
- P5- TRUE COPY OF THE AFFIDAVIT DATED NIL/10/2013 FILED IN SUPPORT OF I.A.NO.1869/2013 IN A.S.NO.10/2012, SUB COURT, PAYYANUR.
- P6- TRUE COPY OF THE COUNTER STATEMENT DATED NIL FILED BY THE RESPONDENT HEREIN IN SUPPORT OF I.A.NO.307/2012 IN A.S.NO.10/2012.

RESPONDENT(S)' EXHIBITS;

NIL

/TRUE COPY/

P.S.TO JUDGE

sts

B. KEMAL PASHA, J.

.....
O.P.(C) No. 4118 of 2013
.....

Dated this the 11th day of August, 2015

J U D G M E N T

Heard the learned counsel for the petitioners. There is no representation for the respondent.

2. The learned Subordinate Judge, Payyanur is directed to dispose of Ext.P5 IA, as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment. Till then, the execution proceedings in E.P.No.273 of 2013 of the court below shall stand stayed.

The Original Petition is disposed of as above.

Sd/-

B. KEMAL PASHA, JUDGE.

UI/-

// True Copy //

PA to Judge