

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

OP(C).No. 1768 of 2015 ()

**AGAINST THE ORDER/JUDGMENT IN OS 953/2010 of III ADDL.SUB COURT,
ERNAKULAM**

PETITIONERS:

- 1. MOLY POULOSE, AGED 54 YEARS,
W/O.LATE JOHN PAUL(T.J.POULOSE),
RESIDING AT THUKALAN HOUSE, KANDANADU MURIYIL,
KANDANADU P.O., THIRUVANKULAM(VIA)MANAKUNNAM VILLAGE,
KANAYANNUR TALUK, ERNAKULAM DISTRICT,
NOW RESIDING AT 320 MAIN STREET, NEW MILFORD,
NEW JERSEY 07646, USA.**
- 2. JOHN POULOSE, AGED 26 YEARS,
S/O LATE PAUL(T.J.POULOSE),
RESIDING AT THUKALAN HOUSE, KANDANADU MURIYIL,
KANDANADU.P.O, THIRUVANKULAM(VIA)MANAKUNNAM VILLAGE,
KANAYANNUR TALUK, ERNAKULAM DISTRICT,
NOW RESIDING AT 320 MAIN STREET, NEW MILFORD,
NEW JERSEY 07646, USA.**
- 3. MINU POULOSE, AGED 28 YEARS,
D/O.LATE PAUL(T.J.POULOSE),
RESIDING AT THUKALAN HOUSE, KANDANADU MURIYIL,
KANDANADU.P.O, THIRUVANKULAM(VIA) MANAKUNNAM VILLAGE,
KANAYANNUR TALUK, ERNAKULAM DISTRICT,
NOW RESIDING AT 320 MAIN STREET, NEW MILFORD,
NEW JERSEY 07646, USA.**
- 4. MERIN JOSEPH, AGED 33 YEARS,
D/O LATE PAUL(T.J.POULOSE),
RESIDING AT THUKALAN HOUSE, KANDANADU MURIYIL,
KANDANADU.P.O, THIRUVANKULAM(VIA) MANAKUNNAM VILLAGE,
KANAYANNUR TALUK, ERNAKULAM DISTRICT,
NOW RESIDING AT 320 MAIN STREET, NEW MILFORD
NEW JERSEY 07646, USA.**

**BY ADVS. SRI.S.SREEKUMAR (SR.)
SRI.P.MARTIN JOSE
ELDHO CHERIAN
SRI.P.PRIJITH
SRI.THOMAS P.KURUVILLA**

RESPONDENTS:

- 1. THANKAMONY ELIZEBETH POULOSE, AGED 65 YEARS,
W/O.P.K.POULOSE, APURVASREE APT.FLAT 3A, NO.4
THIRD CROSS BHOOPASANDRA MAIN ROAD,
NEAR VIDHYANAGAR SCHOOL, SANJAY NAGAR,
BANGALORE -560094.**

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- 2. NIRMALA VARGHESE, AGED 59 YEARS,
W/O.K.K.VARGHESE, 134, KUMARANASAN NAGAR,
KADAVANTHRA, COCHIN-20, KANAYANNOOR TALUK.**
- 3. KUNJAMMA ABRAHAM, AGED 54 YEARS,
W/O.ABRAHAM PAUL MATHEWS, XXXVI/904, INDIRA NAGAR,
KOCHI-17, KANAYANNUR TALUK.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 23-07-2015, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

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APPENDIX

PETITIONERS' EXHIBITS :

P1 COPY OF THE O.S.953/2010 FILED BEFORE THE 3RD ADDITIONAL SUB COURT, ERNAKULAM.

P2 COPY OF WRITTEN STATEMENT IN O.S.953/10 FILED BEFORE THE 3RD ADDITIONAL SUB COURT, ERNAKULAM.

P3 COPY OF ORDER IN WP(C)118/2014 DATED 14-10-2014 OF THIS HON'BLE COURT.

P4 COPY OF I.A.1909/2015 IN O.S.953/10 FILED BEFORE THE 3RD ADDITIONAL SUB COURT, ERNAKULAM.

P5 COPY OF PRINT OUT OF PROCEDURE PUBLISHED IN E-COURTS SERVICE OF GOVT.OF INDIA.

RESPONDENTS' EXHIBITS :

NIL

// True Copy //

P.A. To Judge

DSV/28/7/15

B.KEMAL PASHA, J.

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O.P.(C).No.1768 of 2015

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Dated this the 23rd day of July, 2015

J U D G M E N T

It seems that the relief claimed in this Original Petition (Civil) has become infructuous. In case of any further grievance, it is open to the petitioners to approach this Court once again. The court below shall consider the application filed by the petitioners to get the evidence re-opened, and pass appropriate orders by considering the grievance expressed by the petitioners.

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

Sd/-

**B.KEMAL PASHA
JUDGE**