

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. 1781 of 2015 (O)

OS.NO. 310/2014 OF MUNSIF COURT, THIRUVALLA

PETITIONER(S) :

1. MARIAMMA MATHAI
AGED 66 YEARS, W/O. LATE L. MATHAI
VALAYIL HOUSE, AMALLOOR MURI
MANJADI P.O., KUTTAPPUZHA VILLAGE
THIRUVALLA TALUK.
2. SUNIL MATHAI
AGED 41, S/O. MATHAI
VALAYIL HOUSE, AMALLOOR MURI
MANJADI P.O., KUTTAPPUZHA VILLAGE
THIRUVALLA TALUK
NOW RESIDING AT POST BOX NO. 46333
ABUDABHI, UAE., REPRESENTED BY HIS
POWER OF ATTORNEY HOLDER MARIAMMA MATHAI
AGED 66 YEARS, W/O. LATE L. MATHAI
VALAYIL HOUSE, AMALLOOR MURI
MANJADI P.O., KUTTAPPUZHA VILLAGE
THIRUVALLA TALUK.

BY ADVS.SRI. P. HARIDAS
SRI. P.C.SHIJIN

RESPONDENT :

ABRAHAM C. JOSEPH
AGED 42, S/O. C.A. JOSEPH
CHEKKATTU HOUSE, THADIYOOR P.O.
THELLIYOOR VILLAGE, MALLAPPALLY TALUK
PATHANAMTHITTA – 689 645.

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

PETITIONER'S EXHIBITS :

- EXT.P1 : COPY OF PLAINT IN IA NO. 535/2014 (OS NO. 310/2014) OF DISTRICT COURT, PATHANAMTHITTA DATED 25.4.2014.
- EXT.P2 COPY OF INJUNCTION APPLICATION IN IA NO. 536/2014 OF THE DISTRICT COURT, PATHANAMTHITTA DATED 25.4.2014.
- EXT.P3 COPY OF REPORT IN IA NO. 535/2014 OF THE DISTRICT COURT, PATHANAMTHITTA DATED 9.5.2014.
- EXT.P4 COPY OF THE OBJECTION IN IA NO. 536/2014 IN OS NO. 310/2014 OF THE DISTRICT COURT, PATHANAMTHITTA DATED 4.7.2014.
- EXT.P5 COPY OF THE COMMISSION REPORT SHOWING THE EXISTENCE OF PATH WAY DATED 18.9.2014.
- EXT.P6 COPY OF THE JUDGMENT IN OP(C) 2062/2014 DATED 6.2.2015.
- EXT.P7 COPY OF THE COMMON JUDGMENT DATED 4.6.2015 IN OP(C) NO. 1142/2015.
- EXT.P8 COPY OF THE APPLICATION BY THE PETITIONER TO GET THE CARBON COPY OF THE ORDER ON EXHIBIT P2 DATED 22-7-2015 IN OS NO. 310/2014.
- EXT.P9 COPY OF THE PETITION DATED 22.7.2015 IN OS NO. 310/2014 OF THE MUNSIF COURT, THIRUVALLA.

RESPONDENT'S EXHIBITS : NIL

//TRUE COPY//

P.S. TO JUDGE

B. KEMAL PASHA, J.

.....
O.P.(C) No.1781 of 2015
.....

Dated this the 23rd 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 serve the copy of order on Ext.P2 on the petitioners, as expeditiously as possible, at any rate, within a period of fifteen days from the date of receipt of a copy of this judgment. The parties shall maintain *status quo* for a period of one month, for enabling the petitioner to prefer an appeal.

The Original Petition is disposed of as above.

Sd/- B.KEMAL PASHA, JUDGE

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[True copy]

P.S. to Judge