

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

TUESDAY, THE 28TH DAY OF JULY 2015/6TH SRAVANA, 1937

OP(C).No. 1826 of 2015 (O)

**AGAINST THE ORDER/JUDGMENT IN G.O.P.No. 489/2007 of II ADDL.DISTRICT
COURT,ERNAKULAM**

PETITIONER(S) :

**OMAR ALIKOYA, AGED 18 YEARS,
S/O.LATE SAINUDEEN, CC12/1248-B,
PALLITHANAKATH HOUSE, MOULANA AZAD ROAD,
CHULLICKAL, THOPPUMPADY VILLAGE,
KOCHI TALUK,
ERNAKULAM DISTRICT, PIN – 682 005.**

**BY ADVS.SRI.K.J.MOHAMMED ANZAR
SRI.DILEEP D BHAT**

RESPONDENT(S) :

NIL

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 28-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

AMV

: 2 :

OP(C).No. 1826 of 2015 (O)

APPENDIX

PETITIONER(S) APPENDIX :

**EXT.P1 : COPY OF THE TERM DEPOSIT RECEIPT DATED
09.04.2008.**

**EXT.P2 : COPY OF I.A.NO.4333/2015 IN G.O.P.No.489/2007 FILED
BEFORE THE 2ND ADDL. DISTRICT COURT,
ERNAKULAM, BY THE PETITIONER.**

**EXT.P3 : COPY OF I.A.NO.4334/2015 IN G.O.P.NO.489/2007 FILED
BEFORE THE 2ND ADDL. DISTRICT COURT,
ERNAKULAM BY THE PETITIONER.**

RESPONDENTS EXHIBITS : NIL

/TRUE COPY/

PA.TO JUDGE

AMV

SUNIL THOMAS, J.

.....
O.P.(C) No. 1826 of 2015 (O)

.....
Dated this the 28th day of July, 2015

JUDGMENT

The petitioner herein was a minor when G.O.P.No.489/2007 was allowed and his mother was appointed as guardian. His share was deposited in fixed deposit. While so, he attained the age of majority. He has now filed I.A.Nos.4333/2015 and 4334/2015 for recording the majority. The I.As were moved before the district court on 15.07.2015. The court adjourned it to 15.09.2015.

2.The grievance now raised by the petitioner in this original petition is that he is in dire need of money to pursue his studies and urgent orders are required. Evidently, attaining the age of majority was not something which could not have been anticipated. Further, even if he had any real urgency, he could have conveyed it to district court itself, at the time of moving the I.A.

3.However, considering the submission of the learned counsel for the petitioner that urgent orders are required, I feel that this original petition can be disposed of, with certain directions to the court below, to consider both the I.As in accordance with law

as follows :

i. This original petition stands allowed with a direction to the court below, to advance the posting of both the I.As from 15.09.2015, to the nearest possible date and to consider both the applications on merit, untrammelled by any of the observations made above.

ii. A copy of this order will be communicated to the court below and also handed over to the petitioner, who shall produce the same before the court below, whereupon the case could be considered by the court below.

This original petition is disposed of.

Hand over.

Sd/-
SUNIL THOMAS, JUDGE

AMV/28/07/