

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 1937

OP(C).No. 1460 of 2014 (O)

OS.NO.949/2012 OF II ADDL.SUB COURT, THIRUVANANTHAPURAM

CMA.NO. 39/2013 OF DISTRICT COURT, THIRUVANANTHAPURAM

PETITIONER(S)/PLAINTIFFS:

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1. R.VIJAYAKUMARI,
T.C. 28/2853, VIJAY MANSION, AMBUJAVILASOM ROAD,
KUNNUMPURAM, VANCHIYOOR, THIRUVANANTHAPURAM.
 2. MANOJ,
T.C. 28/2853, VIJAY MANSION, AMBUJAVILASOM ROAD,
KUNNUMPURAM, VANCHIYOOR, THIRUVANANTHAPURAM.

BY ADV. SRI.G.S.REGHUNATH

RESPONDENT(S)/DEFENDANTS:

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1. R.K.RAMESH,S/O. RAVI VARMA, AGED 47 YEARS,
RESIDING AT AMBUJAVILASOM BUNGLOW,
T.C. NO. 25/2792, PRA-17, AMBUJAVILASOM ROAD,
KUNNUMPURAM, VANCHIYOOR, THIRUVANANTHAPURAM-695 101.
 2. SUVARNA RAJA, W/O. P.K. RAMESH,
RESIDING AT AMBUJAVILASOM BUNGLOW,
T.C. NO. 25/2792, PRA-17, AMBUJAVILASOM ROAD,
KUNNUMPURAM, VANCHIYOOR, THIRUVANANTHAPURAM-695 101.

R2 BY ADVS. SRI.PIRAPPANCODE V.S.SUDHIR
SRI.JELSON J.EDAMPADAM

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD
ON 06-07-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

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APPENDIX

PETITIONER(S)' EXHIBITS

- P1. TRUE COPY OF THE PLAINT IN O.S. NO. 949/12 ON THE FILE OF THE SUB COURT, THIRUVANANTHAPURAM DATED 20-7-2012.
- P2. TRUE COPY OF THE I.A. NO. 4179/2012 FOR INJUNCTION IN O.S. NO. 949/12 DATED 20-7-2012.
- P3. TRUE COPY OF THE PARTITION DEED NO. 237/1959
- P4. TRUE COPY OF THE SALE DEED IN THE NAME OF 2ND DEFENDANT DATED 17-3-2005.
- P5. TRUE COPY OF THE SALE DEED IN THE NAME OF THE 1ST DEFENDANT DATED 17-3-2005.
- P6. TRUE COPY OF THE SALE DEED NO. 2329/1978 EXECUTED BY HER MOTHER KARTHIYANI AMMA.
- P7. TRUE COPY OF THE LETTER RECEIVED FROM THE LOCAL SELF GOVERNMENT DEPARTMENT DATED 22-2-13.
- P8. TRUE COPY OF THE COMMISSION REPORT IN I.A. NO. 4202/12 IN O.S. NO. 949/12 DATED 8-8-12
- P9. TRUE COPY OF THE ORDER DATED 14-11-12 IN I.A. NO. 4179/2012 IN O.S. NO. 949/12 OF THE SUB COURT, THIRUVANANTHAPURAM.
- P10. TRUE COPY OF THE ORDER DATED 14-11-12 IN I.A. NO. 4179/12 IN O.S. NO. 949/12 OF THE SUB COURT, THIRUVANANTHAPURAM.
- P11. TRUE COPY OF THE JUDGMENT DATED 18-6-2012 IN C.M.A. NO. 39/2013 OF THE DISTRICT COURT, THIRUVANANTHAPURAM.
- P12. PHOTOGRAPH SHOWING THE EXISTENCE OF THE COMPOUND WALL ON 30/6/2014
- P12(A) PHOTOGRAPH SHOWING THE ACT OF DEMOLISHING THE COMPOUND WALL AFTER 30/6/2014
- P13. PHOTOGRAPH SHOWING THE PRESENT CONDITION OF THE COMPOUND WALL
- P14. TRUE COPY OF THE PETITION SUBMITTED BY PETITIONERS BEFORE THE POLICE PETITION COUNTER, FRIENDS, THIRUVANANTHAPURAM DATED 9/7/2014

OP(C).NO.1460/2014

- P15 COPY OF THE RECEIPT DATED 9/7/2014 FOR EXHIBIT P14
- P16 PHOTOGRAPH SHOWING THE ERECTION OF PILLARS OBSTRUCTING THE LANE LEADING TO OUR HOUSE
- P17 COPY OF THE RECEIPT RECEIVED FROM THE POLICE PETITION COUNTER DATED 4/4/2015

RESPONDENT(S)' EXHIBITS

- R1(A) COPY OF THE PETITION ALONG WITH THE AFFIDAVIT, FILED BY THE PETITIONERS SEEKING TO AMEND THE PLEADING IN THE PLAINT.
- R2(A) COPY OF THE INTERIM APPLICATION NO.1849/2015 IN O.S.NO.949/2012 OF THE SECOND ADDITIONAL SUB COURT, THIRUVANANTHAPURAM
- R2(B) COPY OF THE AFFIDAVIT AND THE ACCOMPANYING I.A.NO.1850/2015 IN O.S.NO.949/2012

/TRUE COPY/

P.A.TO JUDGE

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B. KEMAL PASHA, J.

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O.P.(C) No.1460 of 2014
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Dated this the 6th day of July, 2015

J U D G M E N T

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Learned counsel for the respondents has reported that the order passed by this Court has been complied with.

2. The court below is directed to dispose of the suit, as expeditiously as possible, at any rate, within a period of six months from the date of receipt of a copy of this judgment. In the meantime, the parties shall maintain status quo as on today.

O.P.(Civil) is disposed of as above.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/06/07

// True Copy //

PA to Judge