

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 13TH DAY OF NOVEMBER 2015/22ND KARTHIKA, 1937

OP(C).No. 2743 of 2015 (O)

**(IN IA.NO.3058/2015 IN OS.NO.248/2013 ON THE FILE OF THE ADDITIONAL
MUNSIFF'S COURT, ALAPPUZHA)**

PETITIONER(S):

1. **UMA PARVATHY AGED 49 YEARS
D/O.SUBRAMANIYAN ACHARI
THEKKEPOLA PARAMBU, SANATHANAM WARD, ALAPPUZHA.**
2. **JACOB SEBASTIAN, AGED 53, S/O.GEORGE SEBASTIAN
THEKKEPOLA PARAMBU, SANATHANAM WARD, ALAPPUZHA.**
3. **MARY IDA JACOB, AGED 47 W/O.JACOB
HEKKEPOLA PARAMBU, SANATHANAM WARD, ALAPPUZHA.**

BY ADV. SRI.P.SHANES METHAR

RESPONDENT(S):

1. **ANTONEY, AGED 52, KANDATHIL,
SANATHANAM WARD, ALAPPUZHA-688126.**
2. **CLARAMMA ANTONY, AGED 48, W/O.ANTONY
KANDATHIL, SANATHANAM WARD, ALAPPUZHA-688126.**
3. **K.J.CHACKO, AGED 70, S/O.OUSEPH
KIZHAKKEPPARAMBIL, NEELAMKUNNAM HOUSE
SANATHANAM WARD, ALAPPUZHA-688 126.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 13-11-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

OP(C).No. 2743 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT.P1-TRUE COPY OF THE PLAINT IN OS.NO.248/2013 ON THE FILE OF THE
ADDITIONAL MUNSIF'S COURT, ALAPPUZHA.**

EXHIBIT.P2-TRUE COPY OF THE WRITTEN STATEMENT ALONG WITH COUNTER CLAIM FILED BY THE DEFENDANTS IN OS.NO.248/2013 ON THE FILE OF THE ADDITIONAL MUNSIF'S COURT, ALAPPUZHA.

**EXHIBIT.P3-TRUE COPY OF THE WRITTEN STATEMENT TO COUNTER CLAIM
FILED BY THE PLAINTIFFS.**

EXHIBIT.P4-TRUE COPY OF THE AFFIDAVIT AND PETITION IN IA.NO.3058/2015 IN OS.NO.248/2015 ON THE FILE OF THE ADDITIONAL MUNSIF'S COURT, ALAPPUZHA.

RESPONDENTS' EXHIBITS:

NIL

R.AV

//TRUE COPY//

PA TO JUDGE

K. ABRAHAM MATHEW, J.

O.P.(C)No.2743 of 2015

Dated this the 13th day of November, 2015

J U D G M E N T

Petitioners are the plaintiffs in OS.248 of 2015 on the file of Additional Munsiff, Alappuzha. The suit was dismissed for default. They have filed IA.3058 of 2015 for restoration of the suit. The complaint is that there has been delay in disposing of the application.

2. Heard.

3. It is only proper that the learned Munsiff is directed to dispose of the application without delay.

In the result, this O.P is disposed of with a direction to the learned Munsiff to dispose of IA 3058 of 2015 without delay and to the extent possible within four months from the date of receipt or production of a copy of this judgment.

sd/-

**K. ABRAHAM MATHEW
JUDGE**

R.AV

//True Copy//

PA to Judge