

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 9TH DAY OF DECEMBER 2015/18TH AGRAHAYANA, 1937

OP(C).No. 3006 of 2015 (O)

OS 476/2013 OF MUNSIFF COURT, ATTINGAL.
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PETITIONER:

**RAMACHANDRAN K., S/O KUNJUKRISHNAN,
PANAYIL VEEDU, KADINAMKULAM,
CHENNAMKARA P.O., THIRUVANANTHAPURAM.**

BY ADV. SRI.B.KRISHNA MANI

RESPONDENT(S):

- 1. A.K.RAMACHANDRAN, S/O KESAVAN ACHARI,
RESIDING AT SAUPARNIKA FROM ALUVILA VEEDU,
ANCHAL, ALAYMON VILLAGE, KOLLAM DISTRICT-691306.**
- 2. NANCY, W/O A.K.RAMACHANDARAN,
RESIDING AT SAUPARNIKA FROM ALUVILA VEEDU,
ANCHAL, ALAYMON VILLAGE, KOLLAM DISTRICT-691306.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 09-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

mbr/

OP(C).No. 3006 of 2015 (O)

APPENDIX

PETITIONER(S)' EXHIBITS :

EXHIBIT P1: TRUE COPY OF THE PLAINT IN OS 476/2013 BEFORE THE MUNSIFFS COURT, ATTINGAL DATED 25.10.2013.

EXHIBIT P2: TRUE COPY OF THE APPLICATION DATED 12.1.2015 IN O.S.476/2013 BEFORE THE MUNSIFFS COURT, ATTINGAL.

EXHIBIT P3: TRUE COPY OF THE APPLICATION, I.A.NO.962/2014 DATED 25.3.2014 IN OS 476/2013 BEFORE THE MUNSIFFS COUT, ATTINGAL.

RESPONDENT(S)' EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

mbr/

K.ABRAHAM MATHEW J.

O.P.(C)No.3006 of 2015

Dated this the 9th day of December, 2015

JUDGMENT

Petitioner is the plaintiff in O.S.No.476 of 2013 of Munsiff Court, Attingal. There are two defendants who are the respondents in this case. As the second respondent failed to appear in response to the summons he has been set ex parte. First respondent has not been served with summons so far. So the petitioner has filed I.A.No.962 of 2014 for substituted service by publication in a newspaper. The prayer in this Original Petition is to direct the Munsiff to dispose of the suit itself and all the interlocutory applications filed in it.

2. Heard the learned counsel for the petitioner.

3. Before service is effected on the defendant it is not possible for this court to direct the Munsiff to dispose of the suit itself. At best this court can direct the lower court to dispose of Ext P3 I.A.No.962 of 2014 without delay.

In the result, this Original Petition is disposed of with a direction to the learned Munsiff to dispose of Ext P3 application within two weeks from the date of receipt or production of a copy of this judgment.

Sd/-

**K.ABRAHAM MATHEW
JUDGE**

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/True copy/

P.S.to Judge