

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

MONDAY, THE 14TH DAY OF DECEMBER 2015/23RD AGRAHAYANA, 1937

OP(C).No. 3043 of 2015 (O)

OS. NO.191/2015 OF MUNSIFF COURT, PEERMADE.

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PETITIONER(S):

**THE NILGIRI TEA ESTATES LTD.,
REPRESENTED BY ITS GROUP MANAGER,
GEORGE C.MOSES, AGED 60 YEARS,
S/O.LATE C.V. MOSES, RESIDING AT
STAGBROOK ESTATE BUNGALOW,
PALLIKKUNNU KARA, ELAPPARA VILLAGE,
PEERMADE TALUK, IDUKKI DISTRICT.**

**BY ADVS.SRI.T.A.UNNIKRISHNAN,
SRI.T.R.KANNAN.**

RESPONDENT(S):

- 1. RENJITH, AGED 45 YEARS, S/O.KUTTAPPAN,
RESIDING AT OPPOSITE SAHYADRI AYURVEDIC HOSPITAL,
POTHUPARA KARA, ELAPPARA VILLAGE,
PEERMADE TALUK, IDUKKI DISTRICT-685 501.**
- 2. PANNEERSELVOM, AGED ABOUT 48 YEARS,
S/O. CHINNUMUTHU, RESIDING IN K.S.E.B. QUARTERS,
POTHUPARA KARA, ELAPPARA VILLAGE,
PEERMADE TALUK, IDUKKI DISTRICT-685 501.**
- 3. LALLY, AGED ABOUT 48 YEARS,
S/O. KUTTAPPAN, RESIDING IN STAGBROOK ESTATE LINES,
PALLIKKUNNU KARA, ELAPPARA VILLAGE,
PEERMADE TALUK, IDUKKI DISTRICT-685 501.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 14-12-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

rs.

OP(C).No. 3043 of 2015 (O)

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1 COPY OF THE PLAINT IN O.S. NO.191/2015 OF THE MUNSIFF COURT, PEERMADE.
- EXT.P2 COPY OF THE INTERIM INJUNCTION APPLICATION NO.1077/2015 IN O.S. NO.191/2015 OF THE MUNSIFF COURT, PEERMADE DATED 11/08/2015.
- EXT.P3 COPY OF THE REPORT OF THE ADVOCATE COMMISSIONER.
- EXT.P4 COPY OF THE OBJECTION IN COMMISSION REPORT DATED 30/10/2015.
- EXT.P5 COPY OF THE COUNTER AFFIDAVIT FILED BY THE SECOND DEFENDANT TO THE INJUNCTION APPLICATION DATED 19/11/2015.

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

K. ABRAHAM MATHEW, J.

O.P.(C)No.3043 of 2015

Dated this the 14th day of December, 2015

J U D G M E N T

The petitioner is the plaintiff in OS 191 of 2015 of Munsiff Court, Peermade. The suit is for mandatory injunction. Along with the plaint the petitioner filed IA 1077 of 2015 for a temporary injunction. This has not been disposed of so far. He also filed IA.1591 of 2015 to set aside the commission report. This also has not been disposed of. The prayer in this OP is to grant the injunction prayed for in IA.1077 of 2015. This cannot be granted. But the nature of the case, this court can issue a direction to the trial court to dispose of the applications without delay.

In the result, this OP is disposed of with a direction to the learned Munsiff to dispose of IA 1077 of 2015 and IA 1591 of 2015 within one month 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