

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

OP(C).No. 1902 of 2014 (O)

ORDER DATED 08-07-2014 IN CMA 16/2012 OF SUB COURT, NEDUMANGAD
.....

PETITIONER(S):

**SABEENA, AGED 39 YEARS,
D/O.SUBAIDA BEEVI, ANZA MANZIL, PAZHAYACHANDA,
KALLARA P.O., VAMANAPURAM VILLAGE, THIRUVANANTHAPURAM.**

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENT(S):

**NASARUDEEN, AGED 47 YEARS,
S/O.KHALID, SABEENA MANZIL, PULINCHIKKAPOIKA,
KALLARA P.O., VAMANAPURAM VILLAGE,
THIRUVANANTHAPURAM - 695 608.**

BY ADV. SRI.J.JAYAKUMAR

**THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 20-07-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

msv/

OP(C).No. 1902 of 2014 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1: TRUE COPY OF THE PLAINT IN O.S NO. 830/2011 ON THE FILE OF THE
ADDITIONAL MUNSIFF'S COURT, NEDUMANGAD DATED 02-11-2011.**

**EXHIBIT P2: TRUE COPY OF THE OBJECTION FILED BY THE RESPONDENT
DATED 30-11-2011.**

EXHIBIT P3: TRUE COPY OF THE REPORT DATED 02-11-2011.

EXHIBIT P4: TRUE COPY OF THE 2ND COMMISSION REPORT DATED 12-12-2011.

**EXHIBIT P5: TRUE COPY OF THE ORDER DATED 02-02-2012 IN IA NO 9085/2011 IN
O.S NO 830/2011 ON THE FILE OF THE ADDITIONAL MUNSIFF'S COURT,
NEDUMANGAD.**

**EXHIBIT P6: TRUE COPY OF THE ORDER DATED 08-07-2014 IN C.M.A NO 16/2012 ON
THE FILE OF THE SUB JUDGE, NEDUMANGAD.**

RESPONDENT(S)' EXHIBITS:

NIL

//TRUE COPY//

P.S.TO JUDGE

Msv/

B.KEMAL PASHA, J.

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O.P.(C).No.1902 of 2014

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Dated this the 20th day of July, 2015

J U D G M E N T

An order of temporary mandatory injunction passed by the trial court was challenged through C.M.A.No.16 of 2012 before the Subordinate Judges Court, Nedumangad. The appellate court has chosen to vacate the aforesaid order passed by the trial court.

2. On hearing the learned counsel for the petitioner, this Court is satisfied that this Original Petition (Civil) can be disposed of by directing the court below 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, quite untrammelled by any of the observations

made by the appellate court in Exhibit P6 judgment.

In the result, this Original Petition (Civil) is disposed of as above. The court below shall dispose of the suit quite untrammelled by any of the observations made by the appellate court in Exhibit P6 judgment.

Sd/-

B.KEMAL PASHA
JUDGE

DSV/20/7/15