

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

WEDNESDAY, THE 23RD DAY OF DECEMBER 2015/2ND POUSHA, 1937

OP(C) .No. 3164 of 2015 (O)

AGAINST THE ORDER IN AS 118/2012 of ADDITIONAL SESSIONS COURT
(ADHOC)-II, KOLLAM
PETITIONER(S)/RESPONDENTS NOS. 1 & 5 TO 8:

1. KUNJU KUNJAMMA SARASWATHIAMMA AGED 78 YEARS
D/O. KUNJU KUNJAMMA, THEKKEKADAPPAL VEEDU, PATTATHANAM
VADAKKEVILLA, KOLLAM - 691 010.

2. K.S.RAJALAKSHMIYAMMA
THEKKEKADAPPAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.

3. K.K.RAJAGOPALAN NAIR
THEKKEKADAPPAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.

4. K.K.RAJENDRAN NAIR
THEKKEKADAPPAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.

5. K.S.RAJESWARI AMMA
THEKKEKADAPPAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.

BY ADVS.SRI.K.C.SANTHOSHKUMAR
SMT.K.K.CHANDRALEKHA

RESPONDENT(S) :

1. KUMARI THANKACHI
D/O. GOPALA PILLAI, PATTATHIL CHANDRAVILSAM
VADAKKEVILA, KOLLAM - 691 010.

2. E.SREENIVASAN
S/O. EASWARAN, RESIDING AT SREE SARASWATHI
VADAKKEVILA, KOLLAM - 691 010.

3. HARIKUMAR
S/O. JANARDHANAN PILLAI, BUSINESS, RESIDING AT GOKULAM
MUNDAKKAL VILLAGE, KOLLAM - 691 010.

4. KUNJI PILLAI AMMA SUMATHI AMMA
PULAMON VEEDU, KOTTANKARA, PERUR FROM KADAPPAL VEEDU
PATTATHANAM, VADAKKEVILA, KOLLAM - 691 010.

5. NARAYANA PILLAI GOPINATHAN PILLAI
PULAMON VEEDU, KOTTANKARA, PERUR FROM KADAPPAL VEEDU
PATTATHANAM, VADAKKEVILA, KOLLAM - 691 010.

6. NARAYANA PILLAI GOPALAKRISHNA PILLAI
PULAMON VEEDU, KOTTANKARA, PERUR FROM KADAPPAL VEEDU
PATTATHANAM, VADAKKEVILA, KOLLAM - 691 010.

7. NARAYANI AMMA KOCHALI YAMMA
KADAPPAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
8. KOCHALI AMMA THANKAMMAM AMMA
KADAPPAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
9. JANARDHANAN PILLAI RAMACHANDRAN PILLAI
KADAPPAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
10. THANKAMMA AMMA INDIRA AMMA
KADAPPAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
11. THANKAMMA AMMA MAHESWARI AMMA
KADAPPAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
12. THANKAMMA AMMA SUBHADRA AMMA
KADAPPAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
13. SHANKARA KUMAR
KADAPPAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
14. THANKAMMA AMMA VIJAYA LAKSHMI
KADAPPAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
15. THANKAMMA AMMA SHREDHARI
KADAPPAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
16. JANARDHANAN PILLAI MAHESWARAN PILLAI
KADAPPAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
17. CHELLAMMA JAGADAMMA
THEKKEKADAPPAL VEEDU, PATTATHANAM, KOLLAM
KOLLAM - 691 010.
18. CHELLAMMA OMANAKUTTI AMMA
THEKKEKADAPPAL VEEDU, PATTATHANAM, KOLLAM
KOLLAM - 691 010.
19. JANARDHANAN PILLAI SASIDHARAN PILLAI
THEKKEKADAPPAL VEEDU, PATTATHANAM, KOLLAM
KOLLAM - 691 021.
20. RAMAN PILLAI SREEDHARAN PILLAI
SREERANGATH, ULİYAKOVIL, KOLLAM - 691 019.
21. RAMAN PILLAI BHASKARAN PILLAI
SREERANGATH, ULİYAKOVIL, KOLLAM - 691 019.
22. RAMANPILLAI GANGADHARAN PILLAI
SREERANGATH, ULİYAKOVIL, KOLLAM - 691 019.

23. KARTHIYANI AMMA RAJAMMA
THEKKEKADAPPAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010
24. SUMATHY AMMA
D/O. GOURI AMMA, SREEKUMAR BUILDINGS, VADAKKEVILA
KOLLAM - 691 010.
25. PADMAVATHY AMMA
D/O. GOURI AMMA, PADMAVILASATHU VEEDU, VADAKKEVILA
KOLLAM - 691 010.
26. RAMACHANDRAN PILLAI
S/O. SANKARA PILLAI, CHANDRALAYATHIL VEEDU
PATTATHANAM, KOLLAM - 691 021.
27. RADHAKRISHNA PILLAI
S/O. SANKARA PILLAI, SARASWATHI VILASAM, AYATHIL
KOLLAM - 691 021.
28. VIJAYAMMA
D/O. GOURI AMMA, RAVI VIHAR, THEKKEVILA
ERAVIPURAM - 691 011.
29. PARUKUTTY AMMA RAJAMMA
KADAPPAL PUTHEN VEEDU
NEDUVATHUR KOTTARAKARA - 691 506.
30. PARUKUTTY AMMA KAMALAMMA
KADAPPAL PUTHEN VEEDU
NEDUVATHUR KOTTARAKARA - 691 506
31. PARUKUTTY AMMA OMANA AMMA
KADAPPAL PUTHEN VEEDU
NEDUVATHUR KOTTARAKARA - 691 506
32. NANGELI AMMA LAKSHMI KUTTY AMMA
KADAPPAL PUTHEN VEEDU
NEDUVATHUR KOTTARAKARA - 691 506.
33. OMMINI AMMA PARUKUTTY AMMA
PERADATHU VEEDU, ULIAKOVIL, KOLLAM - 691 019.
34. VELAYUDHAN PILLAI KRISHNA PILLAI
PERADATHU VEEDU, ULIAKOVIL, KOLLAM - 691 019.
35. NANI AMMA LAKSHMI KUTTY AMMA
PERADATHU VEEDU, ULIAKOVIL, KOLLAM - 691 019.
36. LAKSHMI KUTTY AMMA KAMALAMMA
PERADATHU VEEDU, ULIAKOVIL, KOLLAM - 691 019.
37. LAKSHMI KUTTY AMMA
RAJAMMA, PERADATHU VEEDU, ULIAKOVIL
KOLLAM - 691 019.
38. LAKSHMI KUTTY AMMA BABY
PERADATHU VEEDU, ULIAKOVIL, KOLLAM - 691 019.
39. KALLIYANIAMMA KUNJU KUNJAMMA
PERADATHU VEEDU, ULIAKOVIL, KOLLAM - 691 019.

40. KURUMPA CHELLAMMA
EDAYILA VEEDU, KARPURAM CERRY, VADAKKEVILA
KOLLAM - 691 010.
41. AYAPPAN NANU
KOTTAPURATHU KIZHAKKE ATTOM VEEDU, ULIYAKOVIL
KOLLAM - 691 019.
42. PONNAMMA KURIEN
KATTUVEETIL PADINJATTATHIL, PATTATHANAM - 691 021.
43. JACOB CHERIYAN
KATTUVEETIL PADINJATTE THEKKETHIL
PATTATHANAM - 691 021.
44. KRISHNA MENON
BROKER, KAVINTEKIZHAKKETHIL VEEDU, PATTATHANAM
KOLLAM - 691 021.
45. CHELLAMMA SANTHAKUMARY AMMA
KADAPPAL VEEDU, PATTATHANAM - 691 021.
46. KAMALAKSHY AMMA KUNJI KUTTY AMMA
PARVATHI MANTHIRAM, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
47. SANKARA PILLAI PARAMESWARAN PILLAI
PARVATHI MANTHIRAM, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
48. KAMALAKSHI AMMA KUNJIKUTTY AMMA
PARVATHI MANTHIRAM, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
49. SANKARAN PILLAI
DAMODARAN PILLAI, PARVATHI MANTHIRAM, PATTATHANAM
VADAKKEVILA, KOLLAM - 691 010.
50. NARAYANAN CHELLAPPAN
MEDAYIL VADAKKETHIL VEEDU, VADAKKEVILA
KOLLAM - 691 010.
51. KUNJU NANGELI AMMA PARVATHY AMMA
KUNJOOTIL THEKKETHIL, ULIYAKOVIL, KOLLAM - 691 019.
52. RAMU PILLAI
KUNJOOTIL THEKKETHIL, ULIYAKOVIL, KOLLAM - 691 019.
53. CHELLAPPAN PILLAI
KUNJOOTIL THEKKETHIL, ULIYAKOVIL, KOLLAM - 691 019.
54. BALAKRISHNA PILLAI
KUNJOOTIL THEKKETHIL, ULIYAKOVIL, KOLLAM - 691 019.
55. RUGMINI AMMA @ MANI
KUNJOOTIL THEKKETHIL, ULIYAKOVIL, KOLLAM - 691 019.
56. RADHAMANI
KUNJOOTIL THEKKETHIL, ULIYAKOVIL, KOLLAM - 691 019.

57. NANI AMMA
W/O. NARAYANA PILLAI, KADAPPAL PUTHEN VEEDU
NEDUVATHUR, KOTTARAKKARA - 691 506.
58. BHARGHAVI AMMA
D/O. NARAYANA PILLAI, KADAPPAL PUTHEN VEEDU
NEDUVATHUR, KOTTARAKKARA - 691 506.
59. RATHNA BHAI
W/O. MADHAVAN PILLAI, THEKKEKADAPPAL VEEDU
PATTATHANAM - 691 021.
60. MADHAVAN PILLAI, VANARAJ,
THEKKEKADAPPAL VEEDU, PATTATHANAM - 691 021.
61. RATHNA BHAI AMMA JYOTHI
THEKKEKADAPPAL VEEDU, PATTATHANAM - 691 021.
62. KANNAN PILLAI
BHASKARAN PILLAI, PATTATHIL VEEDU
PATTATHANAM - 691 021.
63. KANNAN PILLAI KAMALAYAMMA
KARALI VEEDU, KOIVILA, THEVALAKKARA - 691 590.
64. KUNJU KUTTIAMMA RAJAMMA AMMA
PARARU VADAKKETHIL, PATTATHANAM - 691 021.
65. KUNJUKUTTI AMMA KAMALAMMA
PARARU VADAKKETHIL, PATTATHANAM - 691 021.
66. GOVINDA PILLAI CHELLAPPAN PILLAI
PARARU VADAKKETHIL, PATTATHANAM - 691 021.
67. GOVINDA PILLAI CHANDRASEKHARAN PILLAI
PARARU VADAKKETHIL, PATTATHANAM - 691 021.
68. KRISHNAPILLAI SREEDHARAN PILLAI
KAMALABHAVAN, ERAVIPURAM - 691 011.
69. OMANAYAMMA
ELAMPALLOR VEEDU, VELLIMON, PERINAD - 691 601.
70. KUNJAMMA VASUMATHI
ATTUVAYAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
71. KESAVAN SUNDARESAN
ATTUVAYAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
72. KESAVAN SURENDRAN
ATTUVAYAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
73. KESAVAN BALAN
ATTUVAYAL VEEDU, PATTATHANAM, VADAKKEVILA
KOLLAM - 691 010.
74. KESAVAN SASIDHARAN
PALACKKAL VEEDU, PATTATHANAM - 691 021.

75. KESAVAN AZHAKESAN
ATTUVAYALIL THODIYIL, PATTATHANAM, KOLLAM - 691 021.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
23-12-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP(C).No. 3164 of 2015 (O)

APPENDIX

PETITIONER(S) ' EXHIBITS

- EXT.P1 - TRUE COPY OF THE DECREE DT. 29.11.2003 IN OS NO.
972/2003.
- EXT.P2 - THE TRUECOPY OF THE JUDGMENT DT. 03.6.2010 IN WPC NO.
17621/2010.
- EXT.P3 - TRUE COPY OF THE JUDGMENT DT 05.4.2011 AND MADE IN OPC
NO. 1276/2011.
- EXT.P4 - TRUE COPY OF THE JUDGMENT DT. 12/7/2013 IN OPC NO.
2078/2013.
- EXT.P5 - TRUE COPY OF THE ADVANCE HEARING PETITION BEARING IA NO.
1727/2014.
- EXT.P6 - TRUE COPY OF THE PETITION BEARING IA NO. 1933/2015.

RESPONDENT(S) ' EXHIBITS

NIL

//TRUE COPY//

P.A TO JUDGE

vdv

K.ABRAHAM MATHEW, J.

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O.P(C)No.3164 of 2015

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Dated this the 23rd day of December, 2015

JUDGMENT

Petitioners are respondents 1 to 5 in A.S No.118/2012 on the file of Additional District Judge (Fast Track Court –II), Kollam. His prayer is to direct the court of appeal to dispose of the appeal without delay.

2. Heard.

3. The appeal was originally filed in 2007. The suit was instituted in the year 2003. The request of the petitioner appears to be reasonable.

In the result this O.P is disposed of with a direction to the learned District Judge (Fast Track Court –II), Kollam to dispose of the appeal before the court closes for summer vacation in 2016.

Sd/–

K.ABRAHAM MATHEW , JUDGE