

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 15TH DAY OF OCTOBER 2015/23RD ASWINA, 1937

OP(C).No. 2168 of 2014 (O)

OS.NO. 358/2014 OF MUNSIFF COURT, KOTTARAKKARA

PETITIONER :

**EYYAKKODU SREE MAHA VISHNU TEMPLE,
DEITY, A PERPETUAL MINOR REPRESENTED BY NEXT FRIEND,
RAGHAVAN, AGED 85 YEARS, S/O. KRISHNAN,
KUNNUKARIKKATHIL VEEDU,
EYYAKKODU, PULLUPANA, KADAKKAL VILLAGE,
KOTTARAKKARA, KOLLAM DISTRICT.**

BY ADV. SMT.G.VIDYA

RESPONDENT(S):

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- 1. EYYAKKODU SREE MAHA VISHNU TEMPLE TRUST,
REPRESENTED BY ITS PRESIDENT, SURENDRAN,
AGED 56 YEARS, S/O. BHARGAVI,
C.C.NIVAS, ATIRAKKUZHY, CHITHRA VILLAGE,
KOTTARAKKARA, KOLLAM DISTRICT -691 506.**
 - 2. SECRETARY, SATHEESAN, AGED 54 YEARS,
S/O. RAGHAVAN, KUNNUKARIKKATHIL VEEDU,
EYYAKKODU, PULLUPANA, KADAKKAL VILLAGE,
KOTTARAKKARA, KOLLAM DISTRICT - 691 506.**
 - 3. LAKSHMI, AGED 80 YEARS,
D/O. GOURI, KUZHIVILA VEEDU, EYYAKKODU,
PULLUPANA, KADAKKAL VILLAGE, KOTTARAKKARA,
KOLLAM DISTRICT - 691 506.**
 - 4. LAKSHMANAN, AGED 55 YEARS,
S/O. BHASKARAN, KUZHIVILA VEEDU, EYYAKKODU,
PULLUPANA, KADAKKAL VILLAGE, KOTTARAKKARA,
KOLLAM DISTRICT - 691 506.**

**THIS OP (CIVIL) HAVING COME UP FOR ADMISSION
ON 15-10-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

sts

OP(C).No. 2168 of 2014 (O)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1 - TRUE COPY OF THE JUDGMENT IN OS NO. 449/13 DT. 27.1.14 BY THE
MUNSIFF COURT, KOTTARAKKARA.
- P2 - TRUE COPY OF ORDER IN UNNUMBERED OS IN C.F NO. 2193/14 IN OS NO.
449/13 DT. 21.3.14 BY THE SUB COURT, KOTTARAKKARA.
- P3 - TRUE COPY OF PLAINT IN OS NO. 358/14 DT. 12.7.13 PENDING BEFORE THE
MUNSIFF COURT, KOTTARAKKARA.

RESPONDENT(S)' EXHIBITS:

NIL

/TRUE COPY/

P.S.TO JUDGE

sts

K.ABRAHAM MATHEW J.

O.P.(C)No.2168 of 2014

Dated this the 15th day of October, 2015

JUDGMENT

Petitioner is the first plaintiff in O.S.No.358 of 2014 on the file of Munsiff, Kottarakara. The prayer is to issue a direction to dispose of the suit without delay.

2. Heard.

3. Merely because the petitioner is aged 85 years this court cannot direct the trial court to dispose of the case, which is a new one, within a time frame. The nature of the suit indicates that the trial may take some time. Moreover, it appears that pendency in the trial court concerned is huge. Still the Munsiff may try to dispose of the case without delay.

In the result, this Original Petition is disposed of with a direction to the Munsiff to dispose of the suit, if possible, without delay.

Sd/-

**K.ABRAHAM MATHEW
JUDGE**

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/True copy/

P.S.to Judge