

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 5TH DAY OF AUGUST 2015/14TH SRAVANA, 1937

OP(C) .No. 2349 of 2014 (O)

IN IA NO.711/2014 IN OS 63/2013 of MUNSIFF COURT, SASTHAMCOTTA

PETITIONER(S)/DEFENDANTS 1 AND 2:

1. SOOSAMMA,
AGED 61 YEARS, W/O. JOSHWA,
SHAJU VILLA, PADINJATTE KIZHAKUMURI,
SOORANADU NORTH VILLAGE, KOLLAM DISTRICT.
2. JOSHWA,
AGED 72 YEARS, H/O. SOOSAMMA,
SHAJU VILLA, PADINJATTE KIZHAKUMURI,
SOORANADU NORTH VILLAGE, KOLLAM DISTRICT.

BY ADV. SRI.ALIAS M.CHERIAN

RESPONDENT(S)/PLAINTIFF AND DEFENDANTS 2 AND 3:

1. BABY,
AGED 59 YEARS, S/O. MATHAI,
BETHEL SADANAM, PADINJATTE KIZHAKUMURI,
SOORANADU NORTH VILLAGE, KOLLAM DISTRICT, PIN-690 561.
2. SAMUEL,
AGED 65 YEARS, S/O. MATHEW,
ALUVILA KIZHAKKATHAN, VADAKKEPURA,
SOORANADU NORTH, KOLLAM DISTRICT, PIN-690 561.
3. JACOB MATHEW,
AGED 52 YEARS, S/O. MATHEW,
KAVIYIL PUTHANVEEDU, SOORANADU NORTH,
KOLLAM DISTRICT, PIN-690 561.

R1 & 2 BY ADV. SRI.K.S.MANU (PUNUKKONNOOR) .

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 05-08-2015,
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

rvs.

APPENDIX

PETITIONER(S) ' EXHIBITS :

- EXT. P1 - TRUE COPY OF PLAINT IN OS NO. 137/09.
- EXT. P2 - TRUE COPY OF INTERIM ORDER OF INJUNCTION DT. 04.6.09 IN IA NO. 544/09.
- EXT. P3 - TRUE COPY OF WRITTEN STATEMENT IN OS NO. 137/09.
- EXT. P4 - TRUE COPY OF COMMISSION REPORT DT. 09.6.09 IN OS NO. 137/09.
- EXT. P5 - TRUE COPY OF THE PLAINT IN OS NO. 43/13.
- EXT. P6 - TRUE COPY OF WRITTEN STATEMENT IN OS NO. 43/13.
- EXT. P7 - TRUE COPY OF INTERIM INJUNCTION ORDER DT. 15.2.13 IN IA NO. 222/13.
- EXT. P8 - TRUE COPY OF THE PLAINT IN OS NO. 63/13.
- EXT. P9 - TRUE COPY OF WRITTEN STATEMENT IN OS NO. 63/13.
- EXT. P10 - TRUE COPY OF INTERIM INJUNCTION DT. 28.2.13 IN IA NO. 303/13.
- EXT. P11 - TRUE COPY OF THE PROSECUTION PETITION IA NO. 651/13.
- EXT. P12 - TRUE COPY OF PETITION IA NO. 650/13.
- EXT. P13- TRUE COPY OF THE OBJECTION FILED IN IA NO. 650/13.
- EXT. P14 - TRUE COPY OF COMMON ORDER DT. 30.1.14 IN IA NO. 650/13 AND 651/13.
- EXT. P15 - TRUE COPY OF PETITION IA NO. 711/14.
- EXT. P16 - TRUE COPY OF OBJECTION IN THE PETITION IA NO. 711/14.
- EXT. P17 - TRUE COPY OF IMPUGNED ORDER DT. 08.7.14 IN IA NO. 711/14.

RESPONDENT(S) ' EXHIBITS :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

B. KEMAL PASHA, J.

.....
O.P.(C) No.2349 of 2014
.....

Dated this the 5th day of August, 2015

J U D G M E N T

Heard learned counsel for the petitioners and learned counsel for the respondents.

3. This Original Petition is disposed of by directing the Munsiff's Court, Sasthamcotta to dispose of O.S.No.137 of 2009, O.S.No.43 of 2013 and O.S.No.63 of 2013, through a joint trial, by treating O.S.No.137/2009 as the main case, as expeditiously as possible, at any rate, within a period of six months from the date of receipt of a copy of this judgment.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge