

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

THURSDAY, THE 4TH DAY OF JUNE 2015/14TH JYAISHTA, 1937

OP(Crl.).No. 160 of 2015 (Q)

PETITIONER(S):

1. SRINIVASAN EZHUTHACHAN,
S/O.LATE KUTTIKRISHNAN EZHUTHACHAN,
AGED 86 YEARS, RESIDING AT
KANNUMPURATH HOUSE, KAATTIPARUTHI AMSOM,
VAIKATHOOR DESOM, VALANCHERY P.O,
MALAPPURAM - 676552.
2. KALYANI AMMA, W/O.SRINIVASAN EZHUTHACHAN,
AGED 78 YEARS, RESIDING AT
KANNUMPURATH HOUSE, KAATTIPARUTHI HOUSE,
VAIKATHOOR AMSOM, VAIKATHOOR DESOM,
VALANCHERY P.O, MALAPPURAM - 676552.

BY ADVS.SRI.NIRMAL V NAIR
SRI.ANEESH JOSEPH
SRI.RILGIN V.GEORGE

RESPONDENT(S):

1. ACHUTHAN K., S/O.SRINIVASAN EZHUTHACHAN,
AGED 55 YEARS, KAATTIPARUTHI AMSOM,
VAIKATHOOR DESOM, VALANCHERY P.O,
MALAPPURAM - 676552.
2. ROHINI, W/O.BALAKRISHNAN, AGED 51 YEARS,
POTTAMAL HOUSE, VADAKKUMPURAM AMSOM
MAVANDIYOOR DESOM, TIRUR TALUK,
MALAPPURAM DISTRICT.
3. SUBHASHINI, AGED 50 YEARS,
VALIYAVEETIL HOUSE, KAATTIPARUTHI AMSOM,
VAIKATHOOR DESOM, VALANCHERY P.O,
MALAPPURAM - 676552.
4. BHANUMATHI, AGED 46 YEARS,
PANGIL KALATHIL HOUSE, INDUSTRIAL ESTATE P.O,
PUDDUPARIYARAM, PALAKKAD - 678731.

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5. DEVI, AGED 42 YEARS, NEEHARAN HOUSE,
KOTTAPURAM, VALANCHERY P.O,
MALAPPURAM - 676552.
6. THE REVENUE DIVISIONAL OFFICER,
TIRUR, MALAPPURAM - 676101.

R6 BY PUBLIC PROSECUTOR SMT.S.HYMA

THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION
ON 04-06-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

mbr/

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APPENDIX

PETITIONER(S)' EXHIBITS:

P1: A TRUE COPY OF THE GIFT DEED NO.3163/2013 DATED 27.07.2013 OF THE KUTTIPURAM SRO.

P2: A TRUE COPY OF THE PETITION IN MC.20/2014 ON THE FILES OF THE MAINTENANCE TRIBUNNAL AND REVENUE DIVISIONAL OFFICER, TIRUR.

RESPONDENTS' EXHIBITS: NIL.

//TRUE COPY//

P.S. TO JUDGE

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ALEXANDER THOMAS, J.

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Dated this the 4th day of June, 2015.

J U D G M E N T

The prayer in this Original Petition is for a direction to the Maintenance Tribunal and Revenue Divisional Officer, Tirur to consider and dispose of Ext.P2 maintenance case M.C.C.No.20/2014 pending on the file of the said Executive Magistrate as expeditiously as possible, at any rate, within two months from today.

2. Heard Sri.Nirmal V.Nair, learned counsel for the petitioner and the learned Public Prosecutor appearing for the 6th respondent.

3. In view of the decision to be proposed in this case, it is not necessary to issue notice to contesting respondents 1 to 5 and therefore notice to the said respondents is dispensed with.

4. Having regard to the facts and circumstances emerging in this case, it is ordered in the interest of justice that the 6th respondent- RDO, Tirur shall take all reasonable endeavours under any circumstances to finally dispose of Ext.P2 Maintenance Claim, M.C.C.No.20/2014 pending on its file without much delay in accordance with law and after affording reasonable opportunity of

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being heard to both sides. Having regard to the fact that the statute prescribes an outer time limit of 90 days for the disposal of such Maintenance Claim, it is further ordered that the RDO concerned will ensure that final orders as directed above are passed within a time limit of 90 days from the date of receipt of a copy of this judgment.

With these observations and directions, this O.P(Crl) stands finally disposed of.

ALEXANDER THOMAS,
Judge.

bkn/-