

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

FRIDAY, THE 21ST DAY OF AUGUST 2015/30TH SRAVANA, 1937

OP(Crl.).No. 251 of 2015 (Q)

AGAINST M.C NO. 121/2013 OF THE JUDICIAL FIRST CLASS
MAGISTRATE COURT, IRINJALAKUDA

PETITIONERS/PETITIONERS:

1. VIVEKANANDAN @ THANKAPPAN, AGED 70 YEARS,
S/O.KIZHEKKUDAN KUNJITTY, MATTATHOOR VILLAGE,
MATTATHOORKUNNU DESOM, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT.
2. SARADA, AGED 63 YEARS,
W/O.VIVEKANANDAN -DO- -DO- -DO---
3. JAYASREE,
W/O.REGUVARAN, KARANATH HOUSE, MANKUTTYPADAM,
PADY DESOM, MUKUNDAPURAM TALUK, THRISSUR DISTRICT.

BY ADV. SRI.T.N.MANOJ

RESPONDENT/RESPONDENT:

RAKHI,
W/O. KIZHEKKUDAN SUNIL KUMAR,
MATTATHOOR VILLAGE,
MATTATHOORKUNNU DESOM, MUKUNDAPURAM TALUK,
THRISSUR DISTRICT - 691 585.

THIS OP (CRIMINAL) HAVING COME UP FOR ADMISSION ON
21-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP(Cr1.) .No. 251 of 2015 (Q)

APPENDIX

PETITIONERS' EXHIBITS

P1 COPY OF THE DEED OF SETTLEMENT NO.1493/1985.

P2 COPY OF THE DEED OF ASSIGNMENT NO.1766/2009

P3 COPY OF MC NO.121/13 PENDING OF THE FILES OF THE MAGISTRATE COURT AT IRINJALAKUDA

P4 COPY OF OBJECTION FILED BY PETITIONERS TO MC 121/13 PENDING ON THE FILES OF THE MAGISTRATE COURT AT IRINJALAKUDA.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.A TO JUDGE

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P.UBAID, J.

O.P(Crl) No.251 of 2015

Dated this the 21st day of August, 2015

J U D G M E N T

The petitioners herein are the respondents 1 to 3 in M.C No.121/2013 before the Judicial First Class Magistrate Court, Irinjalakuda. They seek a direction under Article 227 of the Constitution for expeditious disposal of the case. As required by the Court, the learned Magistrate has submitted report dated 19.8.2015 that there is another connected matter, M.C No.125/2013, that the two cases are being considered together, that the total pendency there is 7115, and that three months time is reasonably required for disposal. In the above situation, where pendency in the court below is huge, it is inappropriate to direct a time bound disposal. However, the report of the learned Magistrate which indicates that the case could be disposed of within three months is recorded, and the original petition is closed. If necessary the date of posting can be advanced on application, to ensure disposal within three months.

**P.UBAID
JUDGE**

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