

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 3RD DAY OF DECEMBER 2015/12TH AGRAHAYANA, 1937

OP(C).No. 2604 of 2014 (O)

MTOP 295/2014 of MUNNAR SPECIAL TRIBUNAL

PETITIONER:

GLADSTAN, AGED 71, S/O.LATE JAMES,
TOP STATION ROAD, 8TH MILE,
MATTUPETTY, KD H VILLAGE,
DEVIKULAM TALUK, IDUKKI - 685 616.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENTS:

1. K.L.D BOARD, REPRESENTED BY ITS
DEPUTY GENERAL MANAGER (AH)
MATTUPETTY, IDUKKI - 685 616.

2. DEVIKULAM GRAMA PANCHAYATH,
REP. BY ITS SECRETARY,
MATTUPETTY P.O., IDUKKI 685 616.

3. THE STATE OF KERALA, REP. BY
THE CHIEF SECRETARY
GOVERNMENT SECRETARIAT
THIRUVANANTHAPURAM.

R2 BY ADV. SRI.P.K.RAMKUMAR
R2 BY ADV. SMT.ANITHA MENON
R1 BY ADV. SRI.MILLU DANDAPANI,SC.
BY GOVERNMENT PLEADER SMT. SUNITHA VINOD

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 03-12-2015, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT P1 : A TRUE COPY OF THE PLAINT IN OS NO.271/2013 BEFORE THE MUNSIF COURT, DEVIKULAM DTED 5/9/2013.
- EXHIBIT P2 : A TRUE COPY OF THE I.A NO.863/2013 IN EXT.P1 SUIT DATED 5/9/2013.
- EXHIBIT P3 : A TRUE COPY OF THE OWNERSHIP CERTIFICATE PROVIDED BY THE PANCHAYATH DATED 22/1/2010.
- EXHIBIT P4 : A TRUE COPY OF THE NUMBER ASSIGNED BY THE DEVIKULAM PANCHAYATH FOR THE BUILDING OF THE PETITIONER DATED NIL.

RESPONDENT(S)' EXHIBITS

- EXHIBIT R1(a) : TRUE COPY OF THE REPLY FURNISHED BY THE SECRETARY OF 2ND RESPONDENT PANCHAYT DATED 07.01.2014.

/TRUE COPY/

P.A. TO JUDGE.

ncd

K. ABRAHAM MATHEW, J.

O.P.(C)No.2604 of 2014

Dated this the 3rd day of December, 2015

J U D G M E N T

Petitioner is the plaintiff in the suit filed as OS.271 of 2013 of Munisff Court, Devikulam. He prays for a decree of perpetual injunction in respect of the plaint schedule immovable property. The suit has now been transferred to Munnar Special Tribunal, which has taken on its file as MT OP No.295 of 2014. An application filed by the petitioner for temporary injunction is pending consideration. The only prayer in this OP is to direct the Tribunal to dispose of Ext.P2 application without delay.

2. Heard.

3. I am satisfied that the request is reasonable.

In the result this OP is allowed. The Tribunal is directed to dispose of Ext.P2 application within two weeks from the date of receipt or production of a copy of this judgment. The learned counsel for the petitioner submits that the interim order passed by this court in this OP may be directed to be in force till the disposal of the

application. I think his apprehension that he will be thrown out of the property before an order is passed on Ext.P2 application is not reasonable.

sd/-

K. ABRAHAM MATHEW
JUDGE

R.AV

//True Copy//

PA to Judge