

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 10TH DAY OF MARCH 2015/19TH PHALGUNA, 1936

OP(C).No. 3001 of 2014 (O)

(O.S.809/2002 OF PRINCIPAL MUNSIFF'S COURT, CHERTHALA)

PETITIONER/DECREE HOLDER:

ANTONY, AGED 68 YEARS
S/O.MATHEW, PARIMANATH HOUSE, AROOR MURI
AROOR VILLAGE, CHERTHALA TALUK-688 534.

BY ADVS.DR.V.N.SANKARJEE
SRI.S.SIDHARDHAN
SRI.V.N.MADHUSUDANAN
SRI.PRATHAP. S.R.K.
SMT.R.UDAYA JYOTHI

RESPONDENTS/JUDGMENT DEBTORS:

1. MATHAPPAN, AGED ABOUT 55 YEARS
S/O.SOURI, PANDI PARAMBIL, AROOR VILLAGE
AROOR MURI, CHERTHALA-688534
2. C B CHANDRABABU, AGED ABOUT 50 YEARS
S/O.BALAKRISHNAN, CHEMBAKA PARAMBU, AROOR VILLAGE
AROOR MURI-688 534.
3. SUBRAMANYAN ALIAS BOBAN, AGED ABOUT 45 YEARS,
S/O.BALAKRISHNAN, -DO-
4. MADHUSUDANAN, AGED ABOUT 60 YEARS,
S/O.PARAMESWARAN PILLAI, AMEDAYIL, AROOR VILLAGE-DO-
5. DAYANANDAN ALIAS JAYAN
(FATHER'S NAME NOT KNOWN TO THE PETITIONER), AGED ABOUT
50 YEARS, CHEMBAKA PARAMBU HOUSE, -DO-
6. SUNILKUMAR
(FATHER'S NAME NOT KNOWN TO THE PETITIONER), AGED ABOUT
48 YEARS, CHEMBAKA PARAMBU HOUSE, -DO-
7. AROOR VILLAGE - PANCHAYATH,
REP BY ITS SECRETARY-DO-

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 10-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :

- P1:- TRUE COPY OF THE JUDGMENT DTD 26/6/2012 IN AS NO 47/2006 OF THE SUB COURT, CHERTHALA.
- P2:- TRUE COPY OF THE DECREE DTD 26/6/2012 IN AS NO 47/2006 OF THE SUB COURT, CHERTHALA.
- P3:- TRUE COPY OF THE EXECUTION PETITION EP NO 185/2012 DTD 1/11/2012 IN OS NO 809/2002 OF THE MUNSIFF'S COURT, CHERTHALA.
- P4:- TRUE COPY OF THE INTERIM REPORT DTD 4/3/2014 FILED BY THE ADVOCATE COMMISSIONER IN EP NO 185/12 DTD 1/11/2012 IN O.S NO 809/2002 OF THE MUNSIFF'S COURT CHERTHALA.
- P5:- TRUE COPY OF THE RESTORATION PETITION E A NO 47/2014 DTD 13/2/2014 IN EP.NO 185/12 DTD 1/11/2012 IN OS NO 809/2002 OF THE MUNSIFF'S COURT, CHERTHALA.
- P6:- TRUE COPY OF THE JUDGEMENT DTD 10/10/2014 IN OPC NO. 2302/2014 OF THIS HONOURABLE COURT.
- P7:- TRUE COPY OF THE ORDER DTD 7/11/2014 IN EA NO 47/2014 IN EP NO 185/12 IN OS NO 809/2002 OF THE MUNSIFF'S COURT, CHERTHALA.
- P8:- TRUE COPY OF THE ORDER DTD 17/11/2014 IN EA NO 47/2014 IN EP NO.185/12 IN OS NO 809/2002 OF THE MUNSIFF'S COURT, CHERTHALA.
- P9:- COPY OF APPLICATION DTD.17.12.14 IN E.A.381/2014 IN E.P.185/12 IN O.S.809/02 OF MUNSIFF'S COURT, CHERTHALA.

RESPONDENT'S EXHIBITS: NIL.

// True Copy //

P.A. to Judge.

smp

P.BHAVADASAN, J.

Original Petition (Civil) No.3001 OF 2014

Dated this the 10th day of March, 2015.

J U D G M E N T

When this original petition was taken up for hearing today, learned counsel appearing for the petitioner limited his prayer for a direction to the court below to take up and dispose of Ext.P9 petition.

2. In the nature of the order that is proposed to be passed, it is felt that notice to the respondents is unnecessary.

This original petition is disposed of directing the Munsiff Court, Cherthala to take up Ext.P9 namely, E.A.No.381/2014 in E.P.No.185/2012 in O.S.No.809/2002 and dispose it of on merits after hearing all the parties as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this judgment.

**P.BHAVADASAN
JUDGE**

smp