

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

THURSDAY, THE 5TH DAY OF MARCH 2015/14TH PHALGUNA, 1936

OP(C).No. 3029 of 2014 (O)

(CMA 14/2013 of SUB COURT, PAYYANNUR)

PETITIONER:

DR. JOSEPH JAMES,
MATTAM HOUSE, HOUSE No.14/175 A, VARNAM NAGAR,
NAD P.O., ALWAYS EAST, PIN - 683 563.

BY ADVS.SRI.GEORGE THOMAS (MEVADA)(SR.)
SRI.RAYNOLD FERNANDEZ
SRI.MANU GEORGE KURUVILLA
SRI.AMAL GEORGE MEVADA

RESPONDENT:

JOSE JOSEPH
MATTATHIL HOUSE, PAYYAVOOR P.O., SREEKANTAPURAM,
KANNUR DISTRICT, PIN - 670 633.

THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 05-03-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :

EXHIBIT P1: TRUE PHTOCOPY OF THE DOCUMENT NO. 2663/1983 OF SRO
SREEKANTAPURAM.

EXHIBIT P2: TRUE PHOTOCOPY OF THE JUDGMENT IN WPC 221 OF 2013
DATED 13/02/2013.

EXHIBIT P3: TRUE PHOTOCOPY OF THE MEMORANDUM OF PLAINT IN OS 192
OF 2013.

EXHIBIT P4: TRUE PHOTOCOPY OF THE PRELIMINARY COMMISSION REPORT
DATED 11/06/2013, IN OS 280 OF 2013, IN OS 280 OF 2013
BEFORE THE MUNSIFF'S COURT, TALIPARAMBA.

EXHIBIT P5: TRUE PHOTOCOPY OF BY ORDER IN IA 1319 OF 2013 IN OS 280
OF 2013, DATED 06/07/2013.

EXHIBIT P6: TRUE PHOTOCOPY OF THE CMA 14 OF 2013 BEFORE THE SUB
COURT, PAYYANNUR DATED 25/08/2013.

EXHIBIT P7: TRUE PHOTOCOPY OF THE FINAL COMMISSION REPORT CMA 14
OF 2013 DATED 03/12/2013.

EXHIBIT P8: TRUE PHOTOCOPY OF THE PLAN PREPARED BY THE
ADDITIONAL TALUK SURVEYOR.

EXHIBIT P9: TRUE PHOTOCOPY OF THE JUDGMENT IN CMA 14 OF 2013
DATED 25/03/2014.

EXHIBIT P10: COPY OF QUESTIONS UNDER THE RIGHT TO INFORMATION
ACT DTD.24.12.2014.

EXHIBIT P11: COPY OF REPLY FURNISHED BY SREEKANDAPURAM VILLAGE
OFFICER DTD.17.1.15.

EXHIBIT P12: COPY OF COMPLAINTAGAINST THE RESPONDENT BEFORE THE
CIRCLE INSPECTOR OF POLICE, SREEKANTAPURAM ON
12.02.15.

RESPONDENT'S EXHIBITS: NIL.

// True Copy //

P.A. to Judge.

smp

P. BHAVADASAN, J.

O.P.(C). No. 3029 of 2014

Dated this the 5th day of March, 2015.

JUDGMENT

When this Original Petition came up for admission, this Court passed an interim order as follows:

“The order of the trial court shall stand restored for a period of one month.”

2. The petitioner points out that currently he is concerned only with the disposal of the suit so as to give a finality to the proceedings. Even though notice has been served on the respondent, there is no appearance on his behalf.

3. In the light of the limited prayer made by the petitioner, this Court finds no reason as to why the said relief should not be granted to the petitioner.

In the result, this Original Petition is disposed of directing the court below to take up O.S.280 of 2013 and

dispose it of as expeditiously as possible, at any rate, within four months from the date of receipt of a copy of this judgment. This order will not preclude the court below from considering any petition pending before it.

sb.

P. BHAVADASAN,
JUDGE