

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 1936

OP(C).No. 3110 of 2014 (O)

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OS.NO.175/2014 OF SUB COURT, ERNAKULAM  
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PETITIONER(S)/PLAINTIFF IN OS 175/2014 OF SUB COURT, ERNAKULAM.:  
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JUSTIN K.GEORGE, AGED 48 YEARS,  
S/O.GEORGE, KOTTUKAPALLY HOUSE, MADATHIL,  
IRITTY P.O., PAYAM VILLAGE, IRIITTY TALUK,  
KANNUR DISTRICT.

BY ADVS.SRI.PRAVEEN K. JOY  
SRI.TA.JOY

RESPONDENT(S)/DEFENDANTS IN OS. 175/14:  
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1. KERALA STATE CONSTRUCTION CORPORATION LTD.,  
ADMINISTRATIVE OFFICE, DOOR NO.30/1521 A,  
B BAY UNDER THE BRIDGE, NORTHERN SIDE OF RAILWAY,  
ERNAKULAM VILLAGE, KANAYANOOR TALUK, KOCHI-19,  
REP. BY ITS GENERAL MANAGER.
2. THE REGIONAL MANAGER,  
KERALA STATE CONSTRUCTION CORPORATION LTD.,  
REGIONAL OFFICE, NEAR MUNICIPAL BUS STAND,  
KANNUR-670 001, KANNUR DISTRICT.
3. THE SUPERINTENDING ENGINEER,  
ROADS AND BRIDGES, NORTH CIRCLE,  
PUBLIC WORKS DEPARTMENT, KOZHIKODE,  
KOZHIKODE DISTRICT.PIN-671 001
4. EXECUTIVE ENGINEER,  
PUBLIC WORKS DEPARTMENT, ROADS DIVISION,  
KANNUR,KANNUR DISTRICT. PIN-670 001
5. STATE OF KERALA, REP.BY DISTRICT COLLECTOR,  
COLLECTORATE, CIVIL STATION,KANNUR-670 001

R3 TO R5 BY GOVERNMENT PLEADER SRI.C.K.JAYAKUMAR

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION  
ON 06-01-2015, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:

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APPENDIX

PETITIONER(S)' EXHIBITS

- EXHIBIT-P1: THE TRUE PHOTOCOPY OF THE SUIT IN OS 175/14 OF SUB COURT, ERNAKULAM.
- EXHIBIT-P2: THE TRUE PHOTOCOPY OF THE INTERLOCUTORY APPLICATION AS IA NO.3115/14 IN OS 175/14 OF SUB COURT, ERNAKULAM.
- EXHIBIT-P3: THE TRUE PHOTOCOPY OF THE MINUTES OF MEETING DATED 24.6.2013 OF KANNUR DISTRICT.
- EXHIBIT-P4: THE TRUE PHOTOCOPY OF THE LETTER DATED 11.9.2013.
- EXHIBIT-P5: THE TRUE PHOTOCOPY OF THE LETTER DATED 12.12.12 OF THE 2ND RESPONDENT.
- EXHIBIT-P6: THE TRUE PHOTOCOPY OF THE LETTER DATED 29.8.13 OF THE 3RD RESPONDENT.
- EXHIBIT-P7: THE TRUE PHOTOCOPY OF THE LETTER DATED 25.6.14 ISSUED BY THE PETITIONER TO THE 2ND RESPONDENT.
- EXHIBIT-P8: THE TRUE PHOTOCOPY OF THE ORDER DATED 11.6.14 OF THE 1ST RESPONDENT.
- EXHIBIT-P9: THE TRUE PHOTOCOPY OF THE LETTER DATED 14.7.14 THE 2ND RESPONDENT.
- EXHIBIT-P10: THE TRUE PHOTOCOPY OF THE LETTER DATED 28.11.2014 IN RESPECT OF BANK GUARANTEE FOR RS.20 LAKHS TO THE 2ND RESPONDENT.
- EXHIBIT-P11: THE TRUE PHOTOCOPY OF THE LETTER DATED 28.11.2014 IN RESPECT OF BANK GUARANTEE FOR RS.30 LAKHS TO THE 2ND RESPONDENT.
- EXHIBIT-P12: THE TRUE PHOTOCOPY OF THE LETTER DATED 24.12.14 OF THE 2ND RESPONDENT.

RESPONDENT(S)' EXHIBITS: NIL

/TRUE COPY/

P.A.TO.JUDGE

**P.BHAVADASAN, J.**

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O.P.(C) No. 3110 of 2014  
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Dated this the 06<sup>th</sup> day of January, 2015

**J U D G M E N T**

This petition can be disposed of on a short ground.

2. The only prayer made in this petition is for a direction to the Sub Court, Ernakulam to take up Ext.P2 application filed by the petitioner in O.S.No. 175/2014 seeking an interim relief.

3. The petitioner points out that several postings were over and the matter is yet to be heard. It now finally stands posted to 13.01.2015. The petitioner also points out that the respondents have filed their counter affidavit. All steps are complete. The petitioner points out that urgent orders are required in the petition in order to safeguard his interest and assets.

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

In the light of the fact that the case stands posted to 13.01.2015, there will be a direction to the Sub Court, Ernakulam to take up Ext.P2 interlocutory application i.e. I.A.No.3115/2014 in O.S.No.175/2014 on that day itself and hear the matter on merits and dispose it of as early as possible, at any rate, within a period of three weeks from the date of hearing of the petition.

Sd/-  
**P.BHAVADASAN**  
**JUDGE**

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//True copy//

P.A. to Judge