

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

FRIDAY, THE 19TH DAY OF JUNE 2015/29TH JYAISHTA, 1937

RP.No. 511 of 2015 () IN OP(C).967/2015

OP(C) 967/2015 of HIGH COURT OF KERALA DATED 05-06-2015

REVIEW PETITIONERS/PETITIONERS:

1. MANOHARAN R., AGED 55 YEARS,
S/O. K.G.RAMANKUTTY, KRISHNA NIVAS, VETTUVENI MURI,
KARTHIKAPPALLY VILLAGE, HARIPPAD.
2. SHYLAJA, AGED 51 YEARS,
W/O. MANOHARAN, KRISHNA NIVAS, VETTUVENI MURI,
KARTHIKAPPALLY VILLAGE, HARIPPAD.
3. K.G. RAMANKUTTY, AGED 80 YEARS,
S/O GOVINDAN, KRISHNA NIVAS, VETTUVENI MURI,
KARTHIKAPPALLY VILLAGE, HARIPPAD.

BY ADV. SRI.P.N.MOHANAN

RESPONDENTS/RESPONDENTS:

1. MULAMOOTTIL FINANCE & KURIES,
MULAMOOTTIL BUILDINGS, MARKET ROAD, KOZHENCHERRY,
A PARTNERSHIP FIRM REPRESENTED BY THE PLAINTIFFS 2 & 3
THE PARTNERS, PIN 689 641.
2. JACOB THOMAS, AGED 69 YEARS,
S/O. THOMAS, MULAMOOTTIL HOUSE, KOZHENCHERRY,
PARTNER OF THE FIRST RESPONDENT, PIN 689 641.
3. MOLLY JACOB, AGED 59 YEARS,
W/O. JACOB THOMAS, MULAMOOTTIL HOUSE, KOZHENCHERRY,
PARTNER OF THE FIRST RESPONDENT, PIN 689 641.

BY SRI.V.PHILIP MATHEW

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 19-06-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

RP.No. 511 of 2015 () IN OP(C).967/2015

APPENDIX

PETITIONERS' ANNEXURES :

A1 COPY OF THE JUDGMENT DATED 05.06.2015 IN O.P.(C)No.967/2015.

RESPONDENTS' ANNEXURES :

NIL

// True Copy //

P.A. To Judge

DSV/20/6/15

B.KEMAL PASHA, J.

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R.P. No.511 of 2015

in

O.P.(C) No.967 of 2015

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Dated this the 19th day of June, 2015

ORDER

Heard the learned counsel for the petitioners and the learned counsel for the respondents.

2. The learned counsel for the petitioners has pointed out that in the exparte decree, interest at the rate of 36% per year has been granted as against all norms of law, and the same has to be challenged. An appeal has already been filed with an I.A. to get the delay condoned. Considering the said aspect, this Court is of the view that the judgment passed by this Court on 05.06.2015 has to be reviewed. The said judgment is reviewed and recalled.

3. The respondents can withdraw the amount already

deposited by the petitioners. The execution proceedings shall stand stayed for one month for enabling the petitioners to move the appellate court.

This Review Petition is disposed of as above.

Sd/-

B.KEMAL PASHA
JUDGE

DSV/19/6/15