

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 8TH DAY OF DECEMBER 2015/17TH AGRAHAYANA, 1937

RP.No. 1019 of 2015 ()

(AGAINST THE JUDGMENT IN OP(C).NO. 975/2014 DATED 02/09/2015)

REVIEW PETITIONER/PETITIONER IN OP(C):

**PREETHA, W/O.KALATHIL SURESH,
PERAKOM AMSOM, VAZHAPPULLY DESOM,
CHAVAKKAD TALUK.**

BY ADV. SRI.DINESH MATHEW J.MURICKEN

RESPONDENT(S)/RESPONDENTS IN WP(C) :

- 1. JAYAPALAN, S/O.KALATHIL APPUKKUTTAN,
GURUVAYUR AMSOM, VAZHAPPULLY DESOM,
CHAVAKKAD TALUK, PIN-680 506**
- 2. DAYANANDAN, S/O. KALATHIL APPUKKUTTAN,
GURUVAYUR AMSOM, VAZHAPPULLY DESOM,
CHAVAKKAD TALUK, PIN-680 506**
- 3. THILAKAN, S/O. KALATHIL APPUKKUTTAN,
GURUVAYUR AMSOM, VAZHAPPULLY DESOM,
CHAVAKKAD TALUK, PIN-680 506**
- 4. RAMANI, D/O.KALATHIL APPUKKUTTAN,
GURUVAYUR AMSOM, VAZHAPPULLY DESOM,
CHAVAKKAD TALUK, PIN-680 506**

BY SRI.PHILIP T.VARGHESE

**THIS REVIEW PETITION HAVING BEEN FINALLY HEARD
ON 08-12-2015, THE COURT ON THE SAME DAY PASSED
THE FOLLOWING:**

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A.Muhamed Mustaque, J.

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R.P.No.1019 of 2015
in
O.P.(C)No.975 of 2014

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Dated this the 8th day of December, 2015.

ORDER

1. The petitioner is a plaintiff in O.S.No.131 of 2011 on the file of the Munsiff's Court, Chavakkad. She challenged the dismissal of the application for amendment of the plaint before this court, invoking the powers under Article 227 of the Constitution of India. This was dismissed taking note of the fact that the application was filed after adducing evidence. Petitioner filed this review stating that the trial was not over at that time.
2. This court, after staying the proceedings in the suit, called for a report from the Munsiff's Court, Chavakkad about the status of the suit. The report also indicates that only the issues were settled and the case is posted to 13.1.2016, for steps.

R.P.No.1019 of 2015 in

O.P.(C)No.975 of 2014

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3. In that view of the matter, the Review Petition is allowed. The judgment is reviewed and the original petition is restored to file.

Interim order will continue.

Post the original petition before appropriate court as per roster.

Muhamed Mustaque, Judge.

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