

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

THURSDAY, THE 26TH DAY OF MARCH 2015/5TH CHAITHRA, 1937

Tr.P(C).No.598 of 2013

OS NO.443/2012 OF THE PRINCIPAL SUB COURT,PALAKKAD.

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PETITIONERS/DEFENDANTS NO.4 & 5:

- 1. V.J.BOBY,S/O.JOSEPH,VATHYADAN HOUSE,
URAVATHUR,KORENCHIRA P.O.,ALATHUR TALUK.**
- 2. K.V.GEEVARGHESE,S/O.VARKEY,
KANAKKAMMAVUDI HOUSE,VALKULAMBU,
KORENCHIRA P.O.,ALATHUR TALUK.**

**BY ADVS.SRI.SAJAN VARGHEESE K.
SRI.LIJU. M.P**

RESPONDENTS/PLAINTIFFS & DEFENDANTS NO.1 TO 3:

- 1. M.V.PAULOSE,S/O.VARKEY,MAMPILLY HOUSE,
KORENCHIRA P.O.,ALATHUR TALUK,
PALAKKAD DISTRICT,PIN-678684.**
- 2. K.K.PAULOSE,S/O.KURIAKOSE,KALATHIKUDI HOUSE,
KANAKKANTHURUTHI P.O.,VILANGOOR,
ALATHUR TALUK,PALAKKAD DISTRICT,PIN-678683.**
- 3. FR.MATHAI THOZHUTHUNGAL,S/O.KURIAKOSE,
KAIRADI P.O.,NEMMARA VIA,PALAKKAD DISTRICT-678510.**
- 4. FR.RAJU MARKOSE,PUTHUSSEERIL HOUSE,
OLIMKADAVU,MANGALAM DAM P.O.
ALATHUR TALUK-678706.**
- 5. KURIAKOSE @ HG KURIAKOSE MAR EUSEBIUS,
S/O.GEORGE,CHALAKKATTUKUZHI HOUSE,
BISHOP,JACOBITE SYRIAN CHRISTIAN CHURCH,
BETHEL BISHOP HOUSE,PATTIKKAD P.O.
THRISSUR DISTRICT-680652.**
- 6. HG THOMAS MAR DIONYSIUS,(HB BASELIUS THOMAS I),
S/O.MATHU,PATRIARCHAL CENTRE,
PUTHENCREEZ P.O.,ERNAKULAM DISTRICT-682308.**

**R1,R2,R3 BY ADVS.SRI.K.K.APPU
SRI.ISAC SANJAY**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 26-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Tr.P(C).No.598 of 2013

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE A:TRUE COPY OF G.O.RT.1532/76/HOME DATED 30.6.1976.

**ANNEXURE B:TRUE COPY OF THE PLAINT IN OS NO.443/2012 ON THE FILE OF
SUBORDINATE JUDGE'S COURT,PALAKKAD.**

**ANNEXURE C:TRUE COPY OF THE WRITTEN STATEMENT AND THE COUNTER
CLAIM FILED BY THE DEFENDANTS IN ANNEXURE B SUIT.**

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

P.BHAVADASAN, J.

Tr.P.(C) No. 598 of 2013

Dated this the 26th day of March, 2015

ORDER

This is a petition filed under Section 24 of the C.P.C. seeking to have O.S. No. 443/2012 pending before the Subordinate Court, Palakkad transferred to First Additional District Court, Ernakulam.

2. The matter relates to the Church affairs for which special court was constituted for dealing with church disputes and the designated court is the First Additional District Court, Ernakulam. Even though subordinate courts are empowered to deal with such matters, the petitioner says that he feels that the matter be heard by the designated court i.e. the First Additional District Court, Ernakulam.

3. The respondent only pointed out that there may be a direction to dispose of the suit as expeditiously as possible.

4. In the light of the stand taken by the petitioner and the respondent, this petition is allowed and O.S. No. 443/2012 pending before the Subordinate Court, Palakkad shall stand transferred to First Additional District Court, Ernakulam.

5. The latter court may make every endeavour to dispose of the suit as expeditiously as possible, at any rate, within a period of six months from the date of appearance of the parties before the court below.

The parties shall appear before the court below on **26.05.2015.**

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge