

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

TR.P(C).NO. 87 OF 2015 ()

TRANSFER OF OS. NO.15/2011 OF MUNSIF COURT, PATHANAMTHITTA TO
MUNSIF COURT, RANNY.

PETITIONER(S):

MARYKUTTY, AGED 74 YEARS,
W/O. LATE GEORGE, NADUVILETHU HOUSE,
KAIPPATTOR, VALLICODE, KOZHENCHERRY,
PATHANAMTHITTA.

BY ADVS.SRI.JACOB P.ALEX,
SRI.JOSEPH P.ALEX.

RESPONDENT(S):

1. ANNAMMA MATHEW,
NADUVILETHU HOUSE, KAIPPATTOR P.O.,
PATHANAMTHITTA DISTRICT, PIN-689 648.
2. KOSHY GEORGE, S/O. LATE GEORGE,
155, OLD COURT HOUSE ROAD, HYDE PARK,
NEW YORK, 11040, USA, (FROM NADUVILETHU HOUSE),
KAIPPATTOR, VALLICODE, KOZHENCHERRY,
PATHANAMTHITTA-689 648).
3. MARY ALGOO, D/O LATE GEORGE,
10 WINGATE WAY, GREENBROOK,
NEW JERSEY-08812, USA (FROM NADUVILETHU HOUSE,
KAIPPATTOR, VALLICODE, KOZHENCHERRY,
PATHANAMTHITTA-689 648).
4. ELIZABETH GEORGE NINAN,
D/O. LATE GEORGE, 2325 QUEEN MORGAN LANE,
LEWISVILLE, TEXAS 75056, USA, (FROM NADUVILETHU HOUSE,
KAIPPATTOR, VALLICODE, KOZHENCHERRY,
PATHANAMTHITTA- 689 648).
5. SARA OMMEN, D/O. LATE GEORGE,
179 SOUTH STREET, NEW HIDE PARK, NEW YORK- 11040,
USA, (FROM NADUVILETHU HOUSE, KAIPPATTOR,
VALLICODE, KOZHENCHERRY, PATHANAMTHITTA- 689 648).

THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 06-02-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

ANNEXURE 1 COPY OF THE JUDGMENT DATED 19/12/2014 IN
OPC.3059/2014.

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

P. BHAVADASAN, J.

Tr.P.(C). No. 87 of 2015

Dated this the 6th day of February, 2015.

ORDER

Under the orders of this Court trial of O.S. 15 of 2011 has already begun before Munsiff's Court, Ranny. This Court in the order in R.P.98 of 2015 dated 29.1.2015 observed as follows:

"Whatever that be, the case stands posted on 02.02.2015. If the plaintiff is unable to come to Court, she may apply for examination on commission and examination shall be completed as early as possible. The order passed by this Court regarding the disposal of the case does not mean that application filed before the lower court shall not be disposed of in accordance with law. It only meant that every effort shall be made to complete the trial as expeditiously as possible. If any petition is filed before the court below, the same shall be disposed of in accordance with law."

2. Since evidence has already started before Munsiff's Court, Ranny, it is only appropriate that proceedings are completed by the said court.

This petition is disposed of with a direction that proceedings in O.S. 15 of 2011 before Munsiff's Court, Ranny shall be continued and completed without being transferred to Munsiff's Court, Pathanamthitta and O.S. 15 of 2011 will be deemed to have been transferred to Munsiff's Court, Ranny.

P. BHAVADASAN,
JUDGE

sb.