

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 21ST DAY OF MAY 2015/31ST VAISAKHA, 1937

Tr.P(C).No. 181 of 2015 ()

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AGAINST THE ORDERS/JUDGMENTS IN CMA 56/2014 OF IIIRD  
ADDL.DISTRICT COURT, KOZHIKODE & CMA 13/2015 OF DISTRICT  
COURT, KOZHIKODE

PETITIONERS:

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1. M/S. PERFECT HEALTH CARE SERVICES,  
2/78B, P.K.BUILDINGS, EAST HILL (PO),  
KACHERI AMSOM DESOM, KOZHIKODE.

2. K.E.MOIDU,  
S/O.P.K.AHAMMED, AGED 59 YEARS, MANAGING PARTNER,  
M/S.PERFECT HEALTH CARE SERVICES, 2/78B, P.K.BUILDINGS,  
EAST HILL (PO), KACHERI AMSOM DESOM, KOZHIKODE.

BY ADV. SRI.C.P.MOHAMMED NIAS

RESPONDENT:

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VASU, AGED 70 YEARS,  
S/O.CHOYUNNI, PUVVATT HOUSE, EDAKKAD AMSOM DESOM,  
PUTHIYANGADI VILLAGE, KOZHIKODE.

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY  
HEARD ON 21-05-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

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APPENDIX

PETITIONERS' ANNEXURES:

ANX 1: COPY OF THE PLAINT FILED BY THE RESPONDENT.

ANX 2: COPY OF I.A.NO.2079/2014 IN O.S.NO.627/2014 FILED BY THE RESPONDENT.

ANX 3: COPY OF THE COUNTER AFFIDAVIT FILED IN I.A.NO.2079/2014 IN O.S.NO.627/2014 BEFORE THE MUNSIF COURT-I, KOZHIKODE.

ANX 4: COPY OF THE PETITION FILED BY THE PETITIONERS TO SET ASIDE THE COMMISSIONER'S REPORT AND SKETCH.

ANX 5: COPY OF THE ORDER DATED 09.10.2014 PASSED BY THE MUNSIF COURT-I, KOZHIKODE.

ANX 6: COPY OF CMA NO.56/2014 AGAINST ANNEXURE 5 ORDER FILED BY THE PETITIONERS BEFORE THE DISTRICT COURT III A- KOZHIKODE.

ANX 7: COPY OF THE APPLICATION FILED ALONG WITH ANNEXURE 6 APPEAL TO SUSPEND THE OPERATION OF ANNEXURE 5 ORDER.

ANX 8: COPY OF THE AFFIDAVIT FILED TO ADVANCE THE HEARING OF ANNEXURE 6 APPEAL.

ANX 9: COPY OF CMA NO.13/2015 ALONG WITH DELAY PETITION BEFORE THE PRINCIPAL DISTRICT COURT, KOZHIKODE.

RESPONDENT'S ANNEXURES :

NIL

// True Copy //

P.A. To Judge

DSV/21/5/15

**B.KEMAL PASHA, J.**

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Tr.P.(C). No.181 of 2015

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*Dated this the 21<sup>st</sup> day of May, 2015*

**ORDER**

Notice served. No representation for the respondent.

2. Heard learned counsel for the petitioners.

3. C.M.A.No.56 of 2014, presently pending before the Illrd Additional District Court, Kozhikode and C.M.A.No.13 of 2015, presently pending before the District Court, Kozhikode are hereby ordered to be transferred to the IInd Additional District Court, Kozhikode.

This Transfer Petition (Civil) is disposed of accordingly.

Sd/-

**B.KEMAL PASHA  
JUDGE**