

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937

Tr.P(C).No. 190 of 2015 ()

IN CMA 5/2014 of ADDL.SESIONS COURT (ADHOC-III), NORTH PARAVUR

PETITIONER(S) :

1. M.B.SHAJI,
ADVOCATE, AGED 47 YEARS, S/O.BALAKRISHNAN,
MADAVANAPARAMBIL HOUSE, VALLUVALLY,
KOTTUVALLY VILLAGE.
2. PRAMAJA D. NAIR,
ADVOCATE, AGED 48 YEARS, W/O. ADV.SUNIL KUMAR,
SHANTHI BHAVAN, E.KADUNGALLOOR,
KADUNGALLOOR VILLAGE.
3. K.V.SUJITH,
ADVOCATE, AGED 47 YEARS, S/O. VIJAYAN,
THATHAPPILLY KARA, KOTTUVALLY VILLAGE.
4. P.VENUGOPAL,
ADVOCATE, AGED 48 YEARS, S/O.PAVITHRAN,
PARUVUTHARA, PARAVUR VILLAGE.
5. UNNI MOOPPAN,
AGED 57 YEARS, S/O. MOIDHEEN MOOPPAN, '
MARAR PARAMBIL, PARAVUTHARA, PARAVUR VILLAGE.

BY ADVS.SRI.T.KRISHNAN UNNI (SR.)
SRI.VINOD RAVINDRANATH
SMT.MEENA.A.
SRI.SAJU.S.A
SRI.K.C.KIRAN
SRI.M.DEVESH.

RESPONDENT(S) :

1. PRAVUR TOWN MERCHANT'S ASSOCIATION,
REG.NO.ER 113/74, VYAPARABHAVAN SHOPPING COMPLEX,
CHENDAMANGALAM JUNCTION, PARAVUR VILLAGE,
PIN - 683 512.
2. S.DIVAKARAN PILLAI,
AGED ABOUT 72 YEARS,
FATHER'S NAME NOT KNOWN TO THE PETITIONERS,
PRESIDENT, PARAVUR TOWN MERCHANT'S ASSOCIATION,
REG.NO.ER 113/74, VYAPARABHAVAN SHOPPING COMPLEX,
CHENDAMANGALAM JUNCTION, PARAVUR VILLAGE,
PIN - 683 512.

3. RAVI SIVARAM
AGED 57 YEARS,
FATHER'S NAME NOT KNOWN TO THE PETITIONERS,
GENERAL SECRETARY, PARAVUR TOWN MERCHANT'S ASSOCIATION,
REG.NO.ER 113/74, VYAPARABHAVAN SHOPPING COMPLEX,
CHENDAMANGALAM JUNCTION, PARAVUR VILLAGE,
PIN - 683 512.
4. ASOKAN K.K.,
AGED ABOUT 58 YEARS,
FATHER'S NAME NOT KNOWN TO THE PETITIONERS,
TREASURER, PARAVUR TOWN MERCHANT'S ASSOCIATION,
REG.NO.ER 113/74, VYAPARABHAVAN SHOPPING COMPLEX,
CHENDAMANGALAM JUNCTION, PARAVUR VILLAGE,
PIN - 683 512.
5. PARAVUR TALUK MERCHANT'S WELFARE SOCIETY,
REG.NO.ER 557/90, VYPARABHAVAN SHOPPING COMPLEX,
CHENDAMANGALAM JUNCTION, PARAVUR VILLAGE,
PIN - 683 512.
6. P.G.BALAKRISHNAN,
AGED ABOUT 77 YEARS,
FATHER'S NAME NOT KNOWN TO THE PETITIONERS,
PRESIDENT, PARAVUR TOWN MERCHANT'S WELFARE SOCIETY,
REG.NO.ER 557/90, VYAPARABHAVAN SHOPPING COMPLEX,
CHENDAMANGALAM JUNCTION, PARAVUR VILLAGE,
PIN - 683 512.
7. V.B.VENUGOPAL,
AGED 57 YEARS,
FATHER'S NAME NOT KNOWN TO THE PETITIONERS,
GENERAL SOCIETY, PARAVUR TOWN MERCHANT'S WELFARE
SOCIETY, REG.NO.ER 557/90,
VYAPARABHAVAN SHOPPING COMPLEX,
CHENDAMANGALAM JUNCTION, PARAVUR VILLAGE,
PIN - 683 512.
8. N.S.SREENIVASAN,
AGED ABOUT 50 YEARS,
FATHER'S NAME NOT KNOWN TO THE PETITIONERS,
TREASURER, PARAVUR TOWN MERCHANT'S WELFARE SOCIETY,
REG.NO.ER 557/90, VYAPARABHAVAN SHOPPING COMPLEX,
CHENDAMANGALAM JUNCTION, PARAVUR VILLAGE,
PIN - 683 512.

BY ADV. SRI.DINESH R.SHENOY &
BY ADV. SRI.SANIL JOSE.

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 27-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

APPENDIX

PETITIONER(S) ' ANNEXURES :

ANNEXURE 1- THE TRUE COPY OF THE ORDER OF THE COURT OF THE MUNSIFF
OF NORTH PARAVUR IN IA NO.1982/13 IN OS NO.764/2013 ON
ITS FILE DATED 13/01/2014.

ANNEXURE 2- THE TRUE COPY OF THE APPEAL MEMORANDUM IN CMA 5/2004
DATED 04/02/2014 PENDING BEFORE FAST TRACK COURT
(ADHOC-III), NORTH PARAVUR.

RESPONDENT(S) ' ANNEXURES :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

B. KEMAL PASHA, J.

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Tr.P.(C) No.190 of 2015
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Dated this the 27th day of May, 2015

O R D E R

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Heard. The learned Senior Counsel for the petitioner has pointed out that what is reflected in the OP is the apprehension and anguish on the part of the petitioner alone and there is no question of accusation against the learned Additional District Judge. On going through the remarks, I do not think that the circumstances invite a transfer of the matter. In case any of the parties want to make further arguments in the matter, it is open to them to do so within a period of one month from today. The learned Additional District Judge shall grant such an opportunity to

the parties and shall dispose of the appeal after giving such an opportunity to the parties, if they want to avail such an opportunity.

With the said observations, this Tr.P(C) is dismissed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/27/05

// True Copy //

PA to Judge