IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MRS. JUSTICE SHIRCY V.

FRIDAY, THE 11TH DAY OF DECEMBER 2020 / 20TH AGRAHAYANA, 1942

OP(C).No.988 OF 2020

OS 286/2019 OF ADDITIONAL MUNSIFF COURT,CHERTHALA

PETITIONER/PLAINTIFF:

K.K.DINESH
S/O.LATE K.K.KRISHNA PILLAI, SATHI NIVAS, AROOR P.O., CHERTHALA TALUK, ALAPPUZHA DISTRICT, PIN-688 534.

BY ADV. SRI.S.SUDHISH KUMAR

RESPONDENT/DEFENDANT:

SUNIL
AGED ABOUT 50 YEARS, S/O.CHELLAPPAN, KOOTTALIL, AROOR MURI, AROOR VILLAGE,
CHERTHALA TALUK, 688 534.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 11.12.2020, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

Dated this the 11th day of December 2020

The limited prayer sought for in this Original Petition filed by the petitioner who is the plaintiff in O.S.No. 286 of 2019 pending before the Additional Munsiff Court, Cherthala is for a direction to the court below to hear and dispose of Ext.P5, I.A. No. 2 of 2020 filed in the suit, within a time limit. The suit is one for mandatory injunction as well as for prohibitory injunction.

2. Heard the learned counsel for the petitioner.

3. As per the direction of this Court, the learned Principal Munsiff, Cherthala who is charge of Additional Munsiff, Cherthala, has filed a report stating that the suit is posted to 23.01.2021. It is also stated that in I.A. No. 2 of 2020 the respondent has already filed objection and as it is ripe for hearing, it could be disposed of within 15 days.

Therefore, the report is accepted as such and the learned Additional Munsiff, Cherthala, is directed to dispose of I.A. No. 2 of 2020 in O.S. No. 286 of 2019 within a period of fifteen days from the date of receipt of a copy of this judgment.

This Original Petition is disposed of as above.

Sd/-

SHIRCY V.

JUDGE

sb

APPENDIX

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE COPY OF OS NO.286/2019 FILED BY THE PETITIONER BEFORE THE MUNSIFF'S COURT, CHERTHALA.**
EXHIBIT P2	**TRUE COPY OF THE ORDER DATED 20.06.2019 IN IA NO.1974/2019 IN OS NO.286/2019 PASSED BY THE ADDL.MUNSIFF'S COURT, CHERTHALA.**
EXHIBIT P3	**TRUE COPY OF THE COMMISSION REPORT SUBMITTED BY THE ADVOCATE COMMISSIONER IN IA NO.1975/2019 IN OS NO.286/2019 BEFORE THE HPN'BLE MUNSIFF'S COURT, CHERTHALA.**
EXHIBIT P4	**TRUE COPY OF THE SECOND COMMISSION REPORT DATED 11.12.2019 SUBMITTED BY THE ADVOCATE COMMISSIONER IN IA NO.3987/2019 IN OS NO.286/2019 BEFORE THE HON'BLE MUNSIFFS COURT, CHERTHALA.**
EXHIBIT P5	**TRUE COPY OF THE IA NO.2/2020 IN OS NO.286/2019 FILED BY THE PETITIONER BEFORE THE HON'BLE ADDL.MUNSIFF'S COURT, CHERTHALA.**
EXHIBIT P6	**TRUE COPY OF THE OBJECTION FILED BY THE RESPONDENT IN IA NO.2/2020 IN OS NO.286/2019 BEFORE THE HON'BLE ADDL.MUNSIFF'S COURT, CHERTHALA.**