

**Raju Vs. Sumathy**

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**SooperKanoon Citation :** [sooperkanoon.com/1014408](http://sooperkanoon.com/1014408)

**Court :** Kerala

**Decided On :** Jan-31-2013

**Judge :** Honourable Mr.Justice Thomas P.Joseph

**Appellant :** Raju

**Respondent :** Sumathy

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE THOMAS P.JOSEPH THURSDAY, THE 31ST DAY OF JANUARY 2013 11TH MAGHA 193 OP(C).No. 417 of 2013 (O) ----- PETITIONER(S): ----- RAJU AGED 5 YEARS S/O.KUTTAPPAN,YEVANIKA HOUSE,YEVANIKA HOUSE VETTUVENI MURI, HARIPAD P.O., ALAPPUZHA DISTRICT. BY ADV. SRI.S.SHANAVAS KHAN RESPONDENT(S): ----- SUMATHY, AGED 7 YEARS D/O.BHARATHI, SREENILAYATHIL VEEDU, (MAROTTI MOOTTIL) NANGIARKULANGARA P.O., CHINGOLI VILLAGE, ALAPPUZHA DISTRICT 68 001. THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 31-01-2013, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: THOMAS P. JOSEPH, J.

===== Original Petition (civil) No.417 of 2013  
===== Dated this the 31st day of January, 2013  
JUDGMENT Plaintiff in O.S. No. 77 of 2001 of the Sub Court, Mavelikkara seeks a

direction for speedy disposal of I.A. No. 35 of 2008.

2. Petitioner/plaintiff has obtained Ext.P1, verdict for specific performance of an agreement for sale. Learned counsel submits that petitioner paid the balance sale consideration and sale deed was executed in the name of petitioner. He filed I.A. No. 35 of 2008 for delivery of property which is being adjourned. Learned counsel submits that challenge made by the respondent to the judgment and decree has failed and there is no legal impediments in the learned Sub Judge passing orders on I.A. No. 35 of 2008.

3. Since the suit is of the year, 2001 and petitioner has filed I.A. No. 35 of 2008 in the year, 2008 that application has to be disposed of as early as possible if there is no legal impediments in doing so. O.P.(C) No. 417 of 2013 -:

2. :- Resultantly, directing the learned Sub Judge to dispose of I.A. No. 35 of 2008 as early as possible if there is no legal impediment in doing so, this original petition is disposed of. Sd/- THOMAS P.JOSEPH, JUDGE smv //True copy// P.A. To Judge

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