

Mariyammu vs Ayisha Beevi

Mariyammu vs Ayisha Beevi

SooperKanoon Citation : sooperkanoon.com/1278286

Court : Kerala

Decided On : Mar-28-2025

Judge : Honourable Mr.Justice Basant Balaji

Appeal No. : OP(C)/598/2025

Appellant : Mariyammu

Respondent : Ayisha Beevi

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE BASANT BALAJI
FRIDAY, THE 28TH DAY OF MARCH 2025 / 7TH CHAITHRA, 1947
(AGAINST THE ORDER/JUDGMENT IN OS NO.6 OF 2021 OF
ASSISTANT SESSIONS COURT/SUB COURT/COMMERCIAL COURT,
TIRUR) PETITIONER/PLAINTIFF: MARIYAMMU, AGED 70 YEARS,
W/O.KATTIL MOYTHEEN KUTTY MUSLIYAR, VALAKKULAM AMSAM
DESAM, (P.O.) PUTHUPPARAMBA, PIN - 670 501 BY ADV
SALEEK.C.A. RESPONDENTS/DEFENDANTS: 1 AYISHA BEEVI, W/O.
AMBARAKKAL HASSAN HAJI, NANNAMBRA AMSAM, KUNDOOR
DESAM (P.O.), KUNDOOR, 2 MOIDEEN, S/O ABOOBACKER,
AMBARAKKAL, NANNAMBRA AMSAM, KUNDOOR DESAM, (P.O.)

KUNDOOR, 3 PATHUMMAKUTTY, D/O ABOOBACKER,
AMBARAKKAL, 4 HASSAN, S/O MOIDEENKUTTY HAJI,
AMBARAKKAL, 5 MAIMOONA, D/O MOIDEENKUTTY HAJI,
AMBARAKKAL,

6 ASHRAF, S/O MOIDEENKUTTY HAJI, AMBARAKKAL, 7 SULAIKHA,
D/O MOIDEENKUTTY HAJI, AMBARAKKAL, 8 ABDUL RAHIMAN
MUHAMMED KUTTY, S/O MOIDEENKUTTY HAJI, AMBARAKKAL,
NANNAMBRA AMSAM, KUNDOOR DESAM, (P.O.) KUNDOOR,
TIRURANGADI TALUK, PIN - 676 320 9 RAMLA, D/O MOIDEENKUTTY
HAJI, AMBARAKKAL, NANNAMBRA AMSAM, KUNDOOR DESAM,
(P.O.) KUNDOOR, 10 KUNJIMUHAMMED PARAMBERI, S/O
MOIDEENKUTTY HAJI, AMBARAKKAL, TIRURANGADI TALUK, PIN -
6763 20 11 MUHAMMED SHAFI, S/O MOIDEENKUTTY HAJI,
AMBARAKKAL, 12 RAJEENA, D/O MOIDEENKUTTY HAJI,
AMBARAKKAL, 13 MARIYAMU, D/O MOIDEENKUTTY HAJI,
AMBARAKKAL, NANNAMBRA AMSAM, KUNDOOR DESAM (P.O.)
KUNDOOR, 14 RIYAS, S/O MOIDEENKUTTY HAJI, AMBARAKKAL, 15
SAIDALAVI KOYA, S/O MOIDEENKUTTY HAJI, AMBARAKKAL,

16 KUNJIMUHAMMED, AGED 70 YEARS, S/O. KATTIL MOYTHEEN
KUTTY MUSLIYAR, VALAKKULAM AMSAM, DESAM, (P.O.)
PUTHUPPARAMBA, PIN - 676 501 17 ALI HASSAN, S/O. KATTIL
MOYTHEEN KUTTY MUSLIYAR, VALAKKULAM AMSAM DESAM,
(P.O.) PUTHUPPARAMBA - 676 501 18 FAISAL, S/O. KATTIL
MOYTHEEN KUTTY MUSLIYAR, VALAKKULAM AMSAM DESAM,
(P.O.) PUTHUPPARAMBA - 676 501 19 ALI NISHAD, S/O. KATTIL
MOYTHEEN KUTTY MUSLIYAR, VALAKKULAM AMSAM DESAM,
(P.O.) PUTHUPPARAMBA - 676 501 20 AATHIK, S/O. KATTIL
MOYTHEEN KUTTY MUSLIYAR, VALAKKULAM AMSAM DESAM,
(P.O.) PUTHUPPARAMBA- 676 501 21 UMMU SALMA, D/O. KATTIL
MOYTHEEN KUTTY MUSLIYAR, VALAKKULAM AMSAM DESAM,
(P.O.) PUTHUPPARAMBA-676 501 22 MUMTHAZ, D/O. KATTIL

MOYTHEEN KUTTY MUSLIYAR, VALAKKULAM AMSAM, DESAM,
(P.O.) PUTHUPPARAMBA- 676 501 23 AYISHA, W/O. KATTIL
MOYTHEEN KUTTY MUSLIYAR, VALAKKULAM AMSAM DESAM,
(P.O.) PUTHUPPARAMBA- 676 501 24 ABDUL SAMAD, S/O UMAR,
AMBARIKKAL, NANNAMBRA AMSAM, KUNDOOR DESAM (P.O.)
KUNDOOR, TIRURANGADI TALUK-676 501 25 ABDUL RAHIM, S/O
UMAR, AMBARIKKAL, NANNAMBRA AMSAM, KUNDOOR DESAM,
(P.O.) KUNDOOR, TIRURANGADI TALUK- 676 320 26 ABDUL
MAJEED, S/O UMAR, AMBARIKKAL, NANNAMBRA AMSAM,
KUNDOOR DESAM, (P.O.) KUNDOOR, TIRURANGADI TALUK- 676
320 27 RUKHIYA, W/O UMAR, AMBARIKKAL, NANNAMBRA AMSAM,
KUNDOOR DESAM, (P.O.) KUNDOOR, TIRURANGADI TALUK-676
320

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 18.3.2025,
THE COURT ON 28.03.2025 DELIVERED THE FOLLOWING:

JUDGMENT

(Dated: 28th March, 2025) The petitioner, a senior citizen aged 70 years, has approached this court seeking the disposal of O.S.No.6 of 2021 pending before the Sub Court, Tirur, as expeditiously as possible within a time frame.

2. The suit is filed for partition and separate possession of her legitimate share in the plaint schedule properties

3. A report was called for, and the report dated 26.03.2025 states that steps were completed against all the defendants and the

issues were framed on 24.07.2024, and now it is posted in the

special list to 05.04.2025.

4. Heard counsel on either side.

Considering the facts and circumstances of the case and the report received, I deem it appropriate to dispose of this original petition, directing the trial court to dispose of the same as

expeditiously as possible. This Original Petition (C) is disposed of. Sd/- BASANT BALAJI, JUDGE ss APPENDIX OF OP(C) 598/2025 PETITIONER EXHIBITS Exhibit P1 THE TRUE COPY OF THE PLAINT O.S. NO. 6/2021 PENDING BEFORE THE HON'BLE SUB COURT, TIRUR Exhibit P2 THE COPY OF THE CASE PROCEEDINGS OF O.S 6/2021 ON THE FILES OF THE SUB COURT, TIRUR,

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