

Sunil Kumar Alias Sunil Kumar M. vs Jayakumar V.G. Alias Jaya Kumar

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Court : Kerala Orders

Decided On : May-31-2023

Judge : Honourable Mr. Justice P.Somarajan

Appeal No. : OP(C)/556/2023

Appellant : Sunil Kumar Alias Sunil Kumar M.

Respondent : Jayakumar V.G. Alias Jaya Kumar

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.SOMARAJAN
WEDNESDAY, THE 31ST DAY OF MAY 2023 / 10TH JYAISHTA, 1945
OP(C) NO. 556 OF 2023 AGAINST THE ORDER/JUDGMENT IN
OP(ELE) NO.4/2021 OF ADDITIONAL MUNSIF COURT, CHERTHALA
PETITIONER/PETITIONER: SUNIL KUMAR ALIAS SUNIL KUMAR M.
AGED 57 YEARS S/O MADHAVAN PILLAI, AGED 57, SREEVALSAM,
WARD NO.5, KODAMTHURUTH GRAMA PANCHAYAT,
KODAMTHURUTH VILLAGE, KODAMTHURUTH MURI,
KUTHIYATHODE P.O., CHERTHALA TALUK, ALAPPUZHA DISTRICT,
PIN - 688533 V.N.SANKARJEE V.N.MADHUSUDANAN R.UDAYA
JYOTHI M.M.VINOD M.SUSEELA KEERTHI B. CHANDRAN VIJAYAN

PILLAI P.K. C.PURUSHOTHAMAN NAIR NITHEESH.M SUKANYA S. RESPONDENT/RESPONDENT: JAYAKUMAR V.G. ALIAS JAYA KUMAR, S/O GOVINDAN ALIAS GOVINDAN NAIR, AGED 57, ALOORPUTHANPURA (AS SHOWN IN THE VOTERS LIST), WARD NO.11, KODAMTHURUTH GRAMA PANCHAYAT, KODAMTHURUTH VILLAGE, KODAMTHURUTH MURI, KUTHIYATHODE P.O., CHERTHALA TALUK, ALAPPUZHA DISTRICT, PIN - 688533 V.M.KRISHNAKUMAR P.S.SIDHARTHAN THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 31.05.2023, ALONG WITH CRP.95/2023 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.SOMARAJAN WEDNESDAY, THE 31ST DAY OF MAY 2023 / 10TH JYAISHTA, 1945 OP(C) NO. 1352 OF 2022 AGAINST THE ORDER IN IA.1/2022 IN OP(ELE) NO. 4/2021 OF ADDITIONAL MUNSIF COURT, CHERTHALA PETITIONER/PETITIONER/RESPONDENT: JAYAKUMAR.V.G, 59 YEARS, S/O GOVINDAN NAIR, ALOOR PUTHANPURA, WARD NO.11, KODAMTHURUTH GRAMA PANCHAYATH, KUTHIYATHODU.P.O, CHERTHALA, ALAPUZZHA DISTRICT. PIN - 688533 MAYA M. V.M.KRISHNAKUMAR RENJITH THAMPAN (SR.) RESPONDENT/RESPONDENT/PETITIONER: SUNILKUMAR @ SUNILKUMAR M, S/O MADAHVAN PILLAI, SREEVALSAM, WARD NO.5, KODAMTHURUTH, ALAPUZZHA, PIN - 688533 V.N.SANKARJEE Dr V N Sankarjee V.N.MADHUSUDANAN R.UDAYA JYOTHI M.M.VINOD M.SUSEELA KEERTHI B. CHANDRAN VIJAYAN PILLAI P.K. C.PURUSHOTHAMAN NAIR NITHEESH.M SUKANYA S. KRIPA KRISHNA THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 31.05.2023, ALONG WITH CRP.95/2023 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

When the original petitions came up for hearing, the learned counsel for the petitioner submitted that he is not pressing the original petitions in view of the decision rendered by this court in the connected C.R.P.No.95/2023. Hence, both the O.P.(C)s will stand dismissed as not pressed. Sd/- P.SOMARAJAN JUDGE msp APPENDIX OF OP(C) 556/2023 PETITIONER EXHIBITS Exhibit P-1 TRUE COPY OF THE ORIGINAL PETITION DATED 14.1.2021 IN O.P. (ELECTION) NO. 4/2021 ON THE FILE OF THE ADDITIONAL MUNSIFF COURT, CHERTHALA Exhibit P-2 TRUE COPY OF THE COUNTER AFFIDAVIT DATED

31.1.2022 FILED BY THE RESPONDENT IN O.P. (ELECTION) NO. 4/2021 ON THE FILE OF THE ADDITIONAL MUNSIFF COURT, CHERTHALA Exhibit P-3 TRUE COPY OF THE PETITION DATED 4.6.2022 IN I.A. NO. 1/2022 IN O.P. (ELECTION) NO. 4/2021 ON THE FILE OF THE ADDITIONAL MUNSIFF COURT, CHERTHALA

Exhibit P-4 TRUE COPY OF THE PETITIONER'S OBJECTION DATED 8.6.2022 IN I.A. NO. 1/2022 IN O.P (ELECTION) NO.4/2021 Exhibit P-5 TRUE COPY OF THE ORDER DATED 15.6.2022 IN I.A. NO. 1/2022 IN O.P (ELECTION) NO.4/2021 Exhibit P-6 TRUE COPY OF THE RELEVANT PAGES OF LOCAL FUND AUDIT REPORT Exhibit P-7 TRUE COPY OF THE ORDER/LETTER DATED 20.1.2017 OF THE PANCHAYAT DIRECTOR Exhibit P-8 TRUE COPY OF THE INFORMATION/LETTER NO. C3- PUBLIC INFORMATION OFFICER/SECRETARY OF THE KODAMTHURUTH GRAMA PANCHAYAT Exhibit P-9 TRUE COPY OF THE JUDGMENT DATED 12.11.2020 IN W.P.(C) NO. 24375/2020 APPENDIX OF OP(C) 1352/2022 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE DECISION REPORTED IN 2006 KHC 1017, SANTHOSH GEORGE V. P.S.MATHAI AND ANOR, Exhibit P2 TRUE COPY OF THE DECISION REPORTED IN 2014

(4) KHC 391 BHARATH SANCHAR NIGAM LTD TVM V.

ASSISTANT COMMISSIONER (ASSESSMENT), Exhibit P3 TRUE COPY OF THE DECISION REPORTED IN 2021 KHC 6089, SANTHOSH KUMAR @ RANA RAM KALAL V. ASHOK CHAND AND OTHERS Exhibit P4 TRUE COPY OF THE DECISION REPORTED IN 2021

(6) KHC 804, RAGHUNATHAN NAIR V. BOBBY

A.THOMAS AND OTHERS Exhibit P5 TRUE COPY OF THE DECISION REPORTED IN 2015 KHC 2783, SUSHANTA KAR V. GANESH CHAKRABORTY THROUGH HIS LEGAL HEIRS Exhibit P6 TRUE COPY OF THE DECISION REPORTED IN 2003 KHC 768 ABDUL RAHMAN VS. PARSONY BAI AND ANOTHER Exhibit P7 TRUE COPY OF THE JUDGMENT IN WP(C).NO. 24735/2020 DATED 12.11.2020 Exhibit P8 TRUE COPY OF THE ELECTION PETITION OP(ELE).NO.4/2021 OF MUNSIFF COURT CHERTHALA Exhibit P9 TRUE COPY OF IA. NO.1/2022 AND AFFIDAVIT IN OP.(ELE)NO.4/2021 OF MUNSIFF COURT CHERTHALA Exhibit P10 TRUE COPY OF THE OBJECTION FILED BY THE RESPONDENT TO THE EXT.P9,IN OP.(ELE)NO.4/2021 OF MUNSIFF COURT CHERTHALA Exhibit P11 TRUE COPY OF THE ORDER OF THE ADDITIONAL MUNSIFF CHERTHALA IN IA.NO.1/2022 IN OP(ELE.)NO. 4/2021 DATED 15.06.2022 RESPONDENT EXHIBITS Exhibit R1(a) TRUE COPY OF THE RELEVANT PAGE (PAGE NUMBER 5) CONTAINING PARAGRAPH 3.3 OF THE LOCAL FUND AUDIT REPORT Exhibit R1(b) TRUE COPY OF THE ORDER/LETTER DATED 20.1.2017 OF THE PANCHAYAT DIRECTOR

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