

Thankavelu, vs Senthil Kumar,

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SooperKanoon Citation : sooperkanoon.com/1361723

Court : Kerala Orders

Decided On : Jun-30-2023

Judge : Honourable Mr. Justice P.Somarajan

Appeal No. : OP(C)/1405/2019

Appellant : Thankavelu,

Respondent : Senthil Kumar,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.SOMARAJAN
FRIDAY, THE 30th DAY OF JUNE 2023 / 9TH ASHADHA, 1945 OP(C)
NO. 1405 OF 2019 EP No.68/2017 IN OS 27/2013 OF PRINCIPAL SUB
COURT, PALAKKAD PETITIONER: THANKAVELU, S/o RAMASWAMY
THEVAR, VELANTHAVALAM, OZHALAPATHY, PALAKKAD - 678 587.
BY ADVS. G.HARIHARAN SRI.PRAVEEN.H. SMT.K.S.SMITHA
SRI.V.R.SANJEEV KUMAR RESPONDENT: SENTHIL KUMAR, AGED
64 YEARS, S/o SUBRAHMANIAN, MAMPULLY HOUSE, MAMPULLY
VILLAGE, COIMBATORE DISTRICT- 641 006. THIS OP (CIVIL)
HAVING COME UP FOR ADMISSION ON 30.06.2023, THE COURT ON
THE SAME DAY DELIVERED THE FOLLOWING: OP(C) No.1405 of

JUDGMENT

Original Petition is not pressed into service. A memo to that effect was filed as early as on 14.06.2023. Hence, the Original Petition is dismissed as not pressed. Sd/- P.SOMARAJAN JUDGE DMR/- OP(C) No.1405 of 2019 3 APPENDIX OF OP(C) 1405/2019 PETITIONER'S EXHIBITS EXHIBIT P1 TRUE COPY OF THE COMPROMISE ARRIVED AT BETWEEN THE PETITIONER AND RESPONDENT IN CONNECTION WITH O.S.NO.27/2013 ON THE FILES OF ADDITIONAL SUB COURT, PALAKKAD ALONG WITH COPY OF THE JUDGMENT DATED 29/02/2016.

EXHIBIT P2 TRUE COPY OF THE EXECUTION PETITION FILED BY THE RESPONDENT AS E.P.NO.68/2017 IN O.S.NO.27/2013 BEFORE THE PRINCIPAL SUB EXHIBIT P3 TRUE COPY OF THE COUNTER STATEMENT IN CONNECTION WITH EXHIBIT P2 EXECUTION PETITION ON 14/07/2017. EXHIBIT P4 TRUE COPY OF THE ORDER DATED 17/07/2017 IN O.S.NO.27/2013 BEFORE THE SUB COURT, PALAKKAD. EXHIBIT P5 TRUE COPY OF THE SALE PROCLAMATION NOTICE ISSUED BY THE PRINCIPAL SUB COURT PALAKKAD IN E.P.68/2017 IN O.S.NO.27/2013. EXHIBIT P6 TRUE PHOTOGRAPH OF THE BUILDING PROPOSED TO BE SOLD ON THE STRENGTH OF EXHIBIT P5. EXHIBIT P7 TRUE COPY OF THE APPLICATION DATED 21/01/2019

MADE BY THE PETITIONER FOR RECORDING PAYMENT OF A SUM OF RS.1/- LAKH TO THE RESPONDENT IN CONNECTION WITH E.P.NO.68/2017 IN O.S.NO.27/2013 ON THE FILES OF PRINCIPAL SUB EXHIBIT P8 TRUE COPY OF THE APPLICATION DATED 13/02/2019 FILED BY THE PETITIONER BEFORE THE PRINCIPAL SUB COURT, IN CONNECTION WITH E.P.NO.68/2017 IN O.S.NO.27/2013. EXHIBIT P9 TRUE COPY OF THE OBJECTION DATED 13/02/2019 SUBMITTED BY THE PETITIONER AGAINST EXHIBIT P8 APPLICATION. OP(C) No.1405 of 2019 4 EXHIBIT P10 TRUE COPY OF THE ORDER DATED 01/03/2019 IN CONNECTION WITH E.P.NO.68/2017 IN O.S.NO.27/2013. // TRUE COPY // P.A. TO JUDGE

