

Benedict.D vs Das

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SooperKanoon Citation : sooperkanoon.com/1365790

Court : Kerala

Decided On : Jun-27-2023

Judge : Honourable Mr. Justice P.Somarajan

Appeal No. : OP(C)/1177/2023

Appellant : Benedict.D

Respondent : DAS

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.SOMARAJAN
TUESDAY, THE 27TH DAY OF JUNE 2023 / 6TH ASHADHA, 1945
O.S.NO.177/2021 OF I ADDITIONAL MUNSIF COURT,
NEYYATTINKARA PETITIONER/PLAINTIFF: BENEDICT.D, AGED 59
YEARS, SREEGEETHAM, VENPAKAL, ATHIYANNUR VILLAGE,
NELLIMOODU P.O, NEYYATTINKARA, THIRUVANANTHAPURAM -
695 524 BY ADVS. BIJU BALAKRISHNAN V.S.RAKHEE K.J.GISHA
AJMAL P. YRISHIKA R. RESPONDENT/DEFENDANT: DAS, AGED
ABOUT 63 YEARS, D.A MANDHIRAM, KUDAYAL KAVARIYODU,
VELLARADA VILLAGE, NEYYATTINKARA TALUK,
THIRUVANANTHAPURAM - 695 505 THIS OP (CIVIL) HAVING COME

UP FOR ADMISSION ON 27.06.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

It is so unfortunate that an evasive report was submitted by the Musiff court, Neyyattinkara, without touching on the issue and without the compliance of direction issued by this Court.

2. Heard both sides. It is an application

seeking early disposal of the suit of the year 2021 on the ground that the petitioner wants to sell the property to meet the expenditure in connection with the education and marriage of his children. Hence, there will be a direction to the trial court to take up the matter emergently and dispose of the same within a time schedule of two months from the next posting date and report compliance. The Original Petition will stand allowed accordingly. Sd/- P.SOMARAJAN JUDGE rkr-27/06
APPENDIX OF OP(C) 1177/2023 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE PLAINT IN O.S NO.177/2021 ON THE FILES OF THE 1ST ADDITIONAL MUNSIFF COURT, NEYYATTINKARA. Exhibit P2 TRUE COPY OF THE LAND TAX RECEIPT DT.07-06- 2022 IN FAVOUR OF THE PETITIONER. Exhibit P3 TRUE COPY OF THE POSSESSION CERTIFICATE DT.03-01-2023 IN FAVOUR OF THE PETITIONER. Exhibit P4 TRUE COPY OF THE ORDER DT.25-02-2021 IN I.A NO.1/2021 IN O.S NO.177/2021 OF THE 1ST ADDITIONAL MUNSIFF COURT, NEYYATTINKARA. Exhibit P5 TRUE COPY OF THE WRITTEN STATEMENT DT.07-02-

2023 FILED BY THE RESPONDENT HEREIN IN O.S NO.177/2021 OF THE 1ST ADDITIONAL MUNSIFF COURT, NEYYATTINKARA. Exhibit P6 TRUE COPY OF THE OFFER LETTER BY THE COVENTRY UNIVERSITY THROUGH THE SON OF SMT.GEETHAKUMARI.L. RESPONDENT EXHIBITS NIL TRUE COPY P.A.TO JUDGE

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