

Sumathi, vs Sadanandan

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Court : Kerala

Decided On : Jan-06-2022

Judge : Honourable Mr. Justice a. Badharudeen

Appeal No. : OP(C)/26/2022

Appellant : Sumathi,

Respondent : Sadanandan

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE A. BADHARUDEEN
THURSDAY, THE 6TH DAY OF JANUARY 2022 / 16TH POUSHA, 1943
OP(C) NO. 26 OF 2022 OS 31/2012 OF MUNSIFF-MAGISTRATE
COURT, SOUTH PARAVOOR, KOLLAM PETITIONER/2ND
DEFENDANT - 2ND COUNTER CLAIM PLAINTIFF : SUMATHI, W/O.
RAVEENDRAN, VARAVILA VEEDU, ULIYANADU CHERRY, THAZHAM
THEKKU, CHATHANNOOR, CHIRAKKARA VILLAGE, KOLLAM. BY
ADVS. S.SANTHOSH KUMAR ANJANA.S.SANTHOSH

RESPONDENTS/PLAINTIFF-COUNTER CLAIM DEFENDANTS : 1
SADANANDAN 2 SARASWATHI, W/O. SADANANDAN, THIS OP (CIVIL)
HAVING COME UP FOR ADMISSION ON 06.01.2022, THE COURT ON THE

SAME DAY DELIVERED THE FOLLOWING: O.P.(C)No.26 of 2022 ..2..

A.BADHARUDEEN, J.

O.P.(C)No.26 of 2022 Dated this the 6th day of January, 2022

JUDGMENT

O.S.No.31 of 2012 on the file of the Munsiff- Magistrate Court, South Paravur, Kollam sought to be disposed of by the second defendant in the above suit in which, defendants also filed counter claim. Perusing the records produced along with this original petition, it appears that this is a suit of 2012. In fact, this is a suit directed to be disposed of by this Court as well as the Apex Court as part of disposal of five years old matters. Therefore, I am inclined to allow this petition without issuing notice to the other side. In the result, this original petition is allowed. Therefore, there shall be a direction to the learned Munsiff-Magistrate Court, South Paravur, Kollam to dispose of O.S.No.31 of 2012 within a period of three months from the date of production or receipt of a copy of this judgment. O.P.(C)No.26 of 2022 ..3.. Registry is directed to forward a copy of this judgment to the learned Munsiff-Magistrate Court, South Paravur, Kollam within seven days for compliance and information. Sd/- A.BADHARUDEEN, JUDGE rkj O.P.(C)No.26 of 2022 ..4.. APPENDIX OF OP(C) 26/2022 PETITIONER EXHIBITS Exhibit P1 TRUE COPY OF THE PLAINT DATED 03.02.2012 IN O.S. NO. 31/2012 OF MUNSIFF MAGISTRATE COURT, PARAVUR. Exhibit P2 TRUE COPY OF THE WRITTEN STATEMENT AND

COUNTERCLAIM DATED 12.08.2012 FILED BY THE DEFENDANTS IN O.S. NO. 31/2012 OF THE MUNSIFF MAGISTRATE COURT, PARAVUR. Exhibit P3 TRUE COPY OF JUDGMENT DATED 15/6/2019 IN O S NO. 31/2012 OF THE MUSNFIF MAGISTRATE COURT, PARAVUR. Exhibit P4 TRUE COPY OF DETAILS OF THE PROCEEDINGS IN OS NO. 31/2012 OF THE MUNSIFF MAGISTRATE COURT, PARAVUR AS AVAILABLE IN THE E COURT WEBSITE.

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