SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com

Kantharoopan vs Chinnaraj,

Kantharoopan vs Chinnaraj,

SooperKanoon Citation : sooperkanoon.com/1851227

Court : Kerala

Decided On : Nov-29-2019

Judge : Honourable Mr. Justice B.Sudheendra Kumar

Appeal No. : OP(C)/127/2019

Appellant : Kantharoopan

Respondent : Chinnaraj,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941 OP(C).No.127 OF 2019 EA 7 & 8 OF 2019 IN EP 66/2017 IN FDA 422/15 IN OS 69/2004 OF MUNSIFF COURT,KATTAPPANA PETITIONER/S:

KANTHAROOPAN,AGED 49 YEARS S/O.PONRAJ, RESIDING AT NDUCITY BHAGOM, PALIYAKKUDY KARA, CHAKKUPALLAM VILLAGE, UDUMBANCHOLA TALUK. BY ADVS. SRI.BABU CHERUKARA SRI.R.D.NIKIL KARATH SHRI.MATHEW C.T RESPONDENT/S: 1 CHINNARAJ, S/O.ESSAPPA GOUNDER, AGED ABOUT 70 YEARS, WARD NO.11/35, KAMACHIAMMAN COVIL, IV

STREET, GUDALLOOR, UTHAMAPALAYAM TALUK, THENI DISTRICT, 2 KANNESWARAN, S/O.E PAPPATHOTTU, AGED ABOUT 40 YEARS, RESIDING AT 14/32, MUTHUSVAMY GOUNDER STREET, GUDALLOOR, THENI DISTRICT, TAMILNADU, PIN- 625518. 3 M RANJANI, W/O.A MURUGAN, AGED ABOUT 35 YEARS, RESIDING AT THENI DISTRICT, UTHAMPALAYAM TALUK, TAMILNADU, PIN-625528. -2- 4 M KUMUTHA, W/O.MANIKANDAN, AGED ABOUT 30 YEARS, RESIDING AT 1, 23/13, MALLINGAPURAM ROAD, RASSIGARPURAM, UTHAMAPALAYAM TALUK, THENI DISTRICT, TAMILNADU, 5 NANDANA GOPAL, S/O.ESAPPA GOUNDER, AGED ABOUT 30 YEARS, WARD 6 R JAMUNA, W/O.E RENGANANDHAN, AGED ABOUT 32 YEARS, WARD 7 R RAYAR, S/O.E RENGANANDHAN, AGED ABOUT 32 YEARS, WARD 8 PONRAJ, S/O.ESAPPA GOUNDER, W-14/40, MUTHUSVAMY GOUNDER STREET, GUDALLOOR, UTHAMPALAYAM TALUK, THENI DISTRICT, TAMILNADU, PIN-625518. 9 RAJAMANY, W/O.LATE DHARMAR, AGED ABOUT 85 YEARS, RESIDING W-14/40, MUTHUSVAMY GOUNDER STREET, GUDALLOOR, UTHAMPALAYAM TALUK, THENI DISTRICT, TAMILNADU, R1-9 BY ADV. SRI.K.S.MADHUSOODANAN R1-9 BY ADV. SRI.M.M.VINOD KUMAR R1-9 BY ADV. SRI.K.S.MIZVER R1-9 BY ADV. SRI.P.K.RAKESH KUMAR THIS OP (CIVIL) HAVING BEEN FINALLY HEARD ON 29.11.2019, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: -3-

JUDGMENT

In view of the limited nature of the prayer, the court below is directed to dispose of Exts.P4 and P5, in accordance with law, as expeditiously as possible and at any rate within three months from the date of receipt/production of a copy of this judgment. Till then, the proceedings of the court below shall be kept in abeyance.

This O.P.(C) stands disposed of as above. sd B. SUDHEENDRA KUMAR, JUDGE. dl/ -4- APPENDIX PETITIONER'S/S EXHIBITS: EXHIBIT P1 TRUE PHOTOCOPY OF THE JUDGMENT IN O.S.NO.69/2004 OF THE MUNSIFF'S

COURT, KATTAPANA DATED 30.11.2005. EXHIBIT P2 TRUE PHOTOCOPY OF THE E.P.NO.55/2017 DATED 4.12.2017 OF THE MUNSIFF'S COURT, KATTAPANA. EXHIBIT P3 TRUE PHOTOCOPY OF THE JUDGMENT IN O.S.136/2013 OF THE MUNSIFF'S COURT, KATTAPANA DATED 22.11.2014. EXHIBIT P4 TRUE PHOTOCOPY OF THE E.A.NO.7/2019 IN EXHIBIT P5 TRUE PHOTOCOPY OF THE E.A.NO.8.2019 IN RESPONDENT'S/S EXHIBITS: EXHIBIT R2(A) PHOTOCOPY OF THE FIELD REGISTER OF THE PROPERTY IN THE NAME OF NACHARAMMAL EXHIBIT2(B) PHOTOCOPY OF THE DECREE DATED 4.2.2006 IN OS 84/04 EXHIBIT R2(C) PHOTOCOPY OF THE JUDGMENT DATED 4.2.2006 IN OS 84/04 EXHIBIT R2(D) PHOTOCOPY OF THE AGREEMENT DATED 25.8.2018 IN ITS MALAYALAM TRANSLATION EXHIBIT R2(E) PHOTOCOPY OF THE AFFIDAVIT OF POUNTHAI MOTHER OF PETITIONER HEREIN SWORN BEFORE NOTARY PUBLIC DATED 11.6.2019

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com