

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

WEDNESDAY, THE 28TH DAY OF MARCH 2018 / 7TH CHAITHRA, 1940

OP(C) .No. 925 of 2018

I.ANO.1248/2018 IN O.S.NO.947/2013 OF MUNSIFF'S COURT, IRINJALAKKUDA

PETITIONER/PETITIONER/1ST DEFENDANT

REMYA GINEESH  
W/O. GINEESH, AGED 33 YEARS,  
MUNDACKAL, ALATHOOR DESOM,  
NELLAI VILLAGE, MUDKUNPURAM - 680 683.

BY ADV.SRI.BIJU ABRAHAM

RESPONDENTS/RESPONDENTS/PLAINTIFFS/DEFENDANTS 2 AND 3:

1. MAHATMA CHITTIES (P) LTD.  
MADAYIKONAM, MADAYIKONAM VILLAGE,  
MUKUNDAPURAM TALUK, REPRESENTED BY ITS  
PRESENT MANAGING DIRECTOR, RAMAKRISHNAN,  
AGED 65 YEARS, S/O. SANKARAN - 680 683.
2. GINEESH  
S/O. PARAMESWARAN, MUNDACKAL,  
NELLAI DESOM, MUKUNDAPURAM - 680 683.
3. RAJEESH  
S/O. SUBRAMANYA, PANDAPARAMBIL,  
AMBALLOOR DESOM, ALAGAPPA NAGAR - 680 683.

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 28-03-2018,  
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) ' EXHIBITS

EXHIBIT P1.           A TRUE COPY OF THE APPLICATION FILED AS  
I.A.NO.1248/2018 IN O.S.NO.947/2013 ON THE FILES OF THE  
MUNSIFF'S COURT, IRINJALAKKUDA.

EXHIBIT P2.           A TRUE COPY OF THE APPLICATION FILED AS  
I.A.NO.1249/2018 IN O.S.NO.947/2013 ON THE FILES OF THE  
MUNSIFF'S COURT, IRINJALAKKUDA

RESPONDENT'S EXHIBITS:   NIL

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TRUE COPY

PA TO JUDGE

Scl.

**K.HARILAL, J.**

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O.P.C. No. 925 of 2018  
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Dated this the 28<sup>th</sup> day of March, 2018

**JUDGMENT**

The petitioner is aggrieved by the delay in disposal of Ext.P1 petition to set aside ex-parte decree and Ext.P2 petition to condone the delay in filing Ext.P1 petition.

2. According to the petitioner, the respondent has proceeded with the execution decree and if the decree is executed before the disposal of Exts.P1 and P2, the petitioner will be put to irreparable injury and great hardship.

3. Heard the learned counsel for the petitioner.

Having regard to the grievance projected in this original petition, the Munsiff's Court, Irinjalakkuda is directed to consider and pass orders on Ext.P1 and P2 at the earliest, at any rate, within a period of two months from today. All further proceedings in execution of the

decree in O.S.No.947 of 2013 would stand deferred till the disposal of Exts.P1 and P2.

This original petition is disposed as above.

**K.HARILAL  
JUDGE**

ScI/28.03.2018