

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 28TH DAY OF FEBRUARY 2018 / 9TH PHALGUNA, 1939

WP(C) .No. 3817 of 2018

PETITIONER:

MARY YACOB, AGED 50 YEARS,
W/O.LATE YACOB, ADUKALI HOUSE,
PULLUVAZHY.P.O, RAYAMANGALAM VILLAGE,
KUNANTHUNADU TALUK,
PERUMBAVOOR, PIN-683542.

BY ADVS.SRI.SABU THOZHUPPADAN
SRI.ANTONY VARGHESE
SRI. ABY P. CHERIAN
SMT.P.M.JINIMOL
SMT.DEVI P. PRATHAPAN

RESPONDENT(S) :

1. THE APPELLATE TRIBUNAL &
DISTRICT COLLECTOR, CIVIL STATION,
KAKKANAD, ERNAKULAM, PIN-682030.
2. ADDITIONAL DISTRICT MAGISTRATE,
CIVIL STATION, KAKKANAD,
ERNAKULAM, PIN-682030.
3. THE MAINTENANCE TRIBUNAL &
REVENUE DIVISIONAL OFFICER,
MINI CIVIL STATION, MUDAVOOR.P.O,
MUVATTUPUZHA, PIN-686669.
4. STATION HOUSE OFFICER,
KURUPPUMPADY POLICE STATION,
KURUPPUMPADY.P.O, PERUMBAVOOR, PIN-683545.
5. THE VILLAGE OFFICER,
RAYAMANGALAM VILLAGE, PULLUVAZHY.P.O,
PERUMBAVOOR, PIN-683542.
6. ALEYAMMA POULOSE, W/O.POULOSE,
AGED 92 YEARS, ADUKALIL HOUSE,
PULLUVAZHY.P.O, PERUMBAVOOR, PIN-683542,
NOW RESIDING AT KAVUMGAMPILLIL HOUSE,
CHEMMEENKUTHU, CHELAD.P.O,
PERUMBAVOOR, PIN-683542.
7. ANNAMMA MATHAI, W/O.MATHAI,
PANAPPATTU HOUSE, SOUTH VAZHAKKULAM.P.O,
ALUVA-683105.

8. MARY GEORGE, W/O.GEORGE,
THANNIKKATTU HOUSE, NEDUMKANNY,
VENGOOR.P.O, PERUMBAVOOR, PIN-683245.
9. SOSAMMA, W/O.BABY, AGED 52 YEARS,
KAVUMGAMPILLIL HOUSE, CHEMMEENKUTHU,
CHELAD.P.O, PERUMBAVOOR, PIN-683542.

R1 TO R5 BY SENIOR GOVERNMENT PLEADER SRI.S. GOPINATHAN
R6 TO R9 BY ADV. SRI.ALEXANDER JOSEPH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-02-2018, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

mbr/

APPENDIX

PETITIONERS' EXHIBITS:

EXHIBIT P1 TRUE COPY OF M.P.NO.75/2016 FILED BY THE 6TH
RESPONDENT BEFORE THE 1ST RESPONDENT

EXHIBIT P2 TRUE COPY OF JUDGMENT DATED 11/11/2016 IN
W.P.(C)NO.34106/2016.

EXHIBIT P3 TRUE COPY OF JUDGMENT DATED 11/08/2017 IN
W.P.(C)NO.41260/2016.

EXHIBIT P4 TRUE COPY OF NOTICE DATED 07/10/2017 ISSUED BY
1ST RESPONDENT IN M.P.NO.75/16.

EXHIBIT P5 TRUE COPY OF COMMON ORDER DTD.23/8/17 IN
I.A.NO.329/2017 IN O.S.NO.424/2016 AND I.A.NO.131/2017 IN
O.S.19/2017 OF MUNSIFF'S COURT, PERUMBAVOOR.

EXHIBIT P6 TRUE COPY OF THE INTERIM ORDER DTD 3/1/18 IN
M.P.NO.75/2016 PASSED BY THE 3RD RESPONDENT.

EXHIBIT P7 TRUE COPY OF ORDER NO.MP.75/2016(A10-5878/16)
DATED 08/01/2018 PASSED BY THE 3RD RESPONDENT
IN EXHIBIT-P1.

EXHIBIT P8 TRUE COPY OF APPEAL MEMORANDUM DATED 22/01/2018
FILED BEFORE THE 1ST RESPONDENT BY THE
PETITIONER AGAINST EXHIBIT-P7.

EXHIBIT P8 (A) TRUE COPY OF PETITION DATED NIL SUBMITTED BY
THE 6TH RESPONDENT TO DEPUTY SUPERINTENDENT
OF POLICE, PERUMBAVOOR.

EXHIBIT P8 (B) TRUE COPY OF PETITION DATED 30/10/2016 SUBMITTED
BY THE 6TH RESPONDENT TO THE SUB INSPECTOR OF
POLICE, KURUPPUMPADY.

EXHIBIT P9 TRUE COPY OF RECEIPT WITH Q.NO.214/18 WITH THE
NAME MARY YACOB ISSUED FROM THE OFFICE OF THE
1ST RESPONDENT ON FILING EXHIBIT -P8.

EXHIBIT P10 TRUE COMPUTER PRINTER COPY OF WILL NO.8/1975 OF
SUB REGISTRAR'S OFFICE, PERUMBAVOOR.

RESPONDENTS' EXHIBITS: NIL

/TRUE COPY/

P.S.TO JUDGE

mbr/
01.03.2018.

A.MUHAMED MUSTAQUE, J.

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W.P.(C).No.3817/2018

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Dated this the 28<sup>th</sup> day of February, 2018

**J U D G M E N T**

The petitioner approached the Appellate Tribunal constituted under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 challenging an order passed by the Maintenance Tribunal, Moovattupuzha. Leaving open the question of maintainability to be decided by the appellate authority, there shall be a direction to the appellate authority to dispose the appeal within one month after hearing the petitioner and the party respondents.

The writ petition is disposed of as above.

Sd/-

**A.MUHAMED MUSTAQUE, JUDGE**