

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE C.S.DIAS

MONDAY, THE 31ST DAY OF OCTOBER 2022 / 9TH KARTHIKA, 1944

OP(C) NO. 3443 OF 2012

AGAINST THE ORDER IN C.M.A.NO. 10/2010 OF SUBORDINATE JUDGE'S
COURT,KOCHI

PETITIONER:

N.T.JOSEPH,
AGED 69 YEARS,
S/O LATE N.P. THOMAS,
NEDIYAPARAMBIL HOUSE,
A.K. XAVIER ROAD,
THOPPUMPADY VILLAGE,
KOCHI TALUK-682005

BY ADV SRI.JOSE PALLATTUKARAN

RESPONDENT:

ANTONY,
AGED ABOUT 62 YEARS,
S/O JOSEPH, VATTAMACKAL HOUSE,
A.K. XAVIER ROAD, THOPPUMPADY VILLAGE,
KOCHI TALUK 682005

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON
31.10.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Dated this the 31st day of October, 2022

J U D G M E N T

Despite the order dated 17.10.2012, the petitioner has not taken steps to effect service of notice on the respondent.

2. Even though the original petition came up for admission on 17.10.2012, this Court was not inclined to pass any interim order. The Court of the Additional Munsiff, Kochi, has informed this Court that the *ex-parte* decree was passed on 31.05.2008. The appeal challenging the decree as C.M.A.No.10/2010 was dismissed on 15.09.2012. At this distance of time, I am of the view that nothing further survives in the original petition.

Hence, the original petition is dismissed as infructuous, without prejudice to the right of the

petitioner to challenge any subsequent order in the suit.

Sd/-

C.S.DIAS,JUDGE

DST/31.10.22

//True copy/

P.A.To Judge