

IN THE COURT OF THE MUNSIFF, KAYAMKULAM
present: Smt. A.Aneesa, Munsiff
Wednesday 17th September, 2025/26th Bhadra ,1947

IA.12/2025 in OS.119/2016
filed on 22.08.2025

Petitioner/Plaintiff

Kavirajan, aged 80 yrs,
S/o. Nanu, Kottackattu Veettil Vimalabhavanil,
Bharanickavu North Muri,
Kattanam Village,
rep by Power of attorney holder
Sobha, D/o Kavirajan of do-do.
(By Adv.K.Raju)

Respondents

1. Janakiamma(died),
W/o. Balakrishna Pillai,
Mangalathu veettil Mohanasadanath,
Bharanickavu North Muri,
Kattanam Village.
2. Mohanan Pillai, aged 64 yrs,
S/o. Balakrishnan Pillai,
Mangalathu veettil Mohanasadanath,
Bharanickavu North Muri,
Kattanam Village.
3. Manjesh, aged 41 yrs,
S/o. Maniyan Pillai,
Mangalathu House
Bharanickavu North Muri,
Kattanam Village.

Addl. 4. Anilkumar, aged 58 yrs,
S/o. Balakrishnan Pillai,
Mangalathu House,
Bharanickavu North Muri,
Kattanam Village.

(Adv.Stephen J.Daniel)

This petition is coming on for final hearing on 17.09.2025 and the court of the same day passed the following.

ORDER

Petitioner present. Respondent represented. No objection filed. Heard. The petitioner filed this IA stating that connected case OS. 573/2016 filed by the Petitioner/Plaintiff had been already disposed by this court and against the judgment and decree in OS. 573/2016 the petitioner preferred A.S.10/2023 before Hon'ble Sub Court, Mavelikara. According to the petitioner/plaintiff the Appellate court may remand the matter for fresh consideration and in such circumstances the trial of this suit may be deferred till the disposal of A.S.10/2023 in order to avoid multiplicity of proceedings and conflicting decision. Perused the records, no joint trial was ordered with this case and already disposed OS 573/2016. The reason projected by the petitioner is that the appellate Court may remand back OS.573/2016 for fresh disposal. The reason

projected is not sufficient for deferring the trial of this case. More over this is a matter of 2016. Undue delay in trial will cause prejudice and undue hardships to the respondent/defendant. Hence IA dismissed. No order as to costs.

(Pronounced by me in open Court on 17th September, 2025)

Sd/-
ANEESA.A,
MUNSIFF

APPENDIX - Nil.

Sd/-
MUNSIFF

//True copy //

MUNSIFF

Typed by:Shafeek
Compd.by

Carbon copy of IA.12/2025 in
OS.119/2016
Dtd. 17.9.20125