

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:

THE HONOURABLE MR. JUSTICE A.HARIPRASAD

Thursday, the 21st day of February 2019/2nd Phalgun, 1940

CMP NO.4362/2000 IN AS No.465/2000

OS No.548/1993 of the ADDITIONAL SUB COURT, PALAKKAD

PETITIONERS/APPELLANTS

- **1.** ABDUL JABBAR,
S/O.SAIDU MOHAMMED RAWTHER, RESIDING AT DOOR NO.579, TRICHY ROAD,
SINGANELLUR, COIMBATORE, TAMIL NADU.(DIED,LRS IMPEADED)
- *2.** VAHAB RAWTHER ,
S/O.VELLAPPA RAWTHER, RESIDING AT KUTHANUR AMSOM, ALATHUR TALUK,
PALAKKAD DISTRICT.(DIED,LRS IMPEADED)

ADDITIONAL P3 TO P9 IMPEADED

- *3.** FARUK.V., S/O.LATE VAHAB RAWTHER, RESIDING AT RANGODE KALAM HOUSE,
KALAPPARA, KUTHANUR P.O., PALAKKAD.
- 4** V.SAFIA NOOR MOHAMMED, S/O.LATE VAHAB RAWTHER, RESIDING AT
JUBITHA MANZIL, NO.9, KARIMBUKADA, SALAMATH NAGAR, COIMBATORE.
- 5** VELLAPPA, S/O.LATE VAHAB RAWTHER, RESIDING AT RANGODE KALAM HOUSE,
KALAPPARA, KUTHANUR P.O., PALAKKAD.
- 6** FERÖZE,S/O.LATE VAHAB RAWTHER, RESIDING AT RANGODE KALAM HOUSE,
KALAPPARA, KUTHANUR P.O., PALAKKAD.
- *7** V.RAHMATH SIDIQUE,
D/O.LATE VAHAB RAWTHER, RESIDING AT MARIPADOM KALAM, PAILOORE P.O.,
KOLLEKODE, PALAKKAD. (DIED,LRS IMPEADED)
- 8** V.MEHARUNEESA BUHAVI, D/O.LATE VAHAB RAWTHER, RESIDING AT BIG BAZAR
STREET, MANDYA, KARNADAKA STATE.
- 9** NOUSHAD ALI,
S/O.LATE VAHAB RAWTHER, RESIDING AT RANGODE KALAM HOUSE, KALAPPARA,
KUTHANUR P.O., PALAKKAD.

ADDITIONAL PETITIONERS 3 TO 9 ARE IMPEADED AS THE LEGAL REPRESENTATIVES
OF DECEASED 2ND PETITIONER VIDE ORDER DATED 09.11.2000 IN CMP.NO.6765 OF
2000).

ADDITIONAL P10 TO P14 IMPEADED

- **10** JOHARA, WIDOW OF ABDUL JABBAR, RESIDING AT RANGODU KALAM, KALAPPARAI,
KUTHANUR P.O., PALAKKAD.
- 11** A.AYISHA BEGUM ALIAS A.LAILA BEGUM, D/O.LATE ABDUL JABBAR,
RESIDING AT 23/3-C, LLOYDS AVENUE, PONDANUR, COIMBATORE, TAMIL NADU.

P.t.o

CMP NO.4362/2000 IN AS No.465/2000

- 12 S.A.MOHAMED RAFI, S/O.LATE ABDUL JABBAR, RESIDING AT 12/10, ARCHANA NAGAR (EXT.), KUNIAMUTHUR, VASAN EYE CARE OPPOSITE ROAD, COIMBATORE, TAMIL NADU.
- 13 A.SIRAJUDHEEN, S/O.LATE ABDUL JABBAR, RESIDING AT 1/1-A, COURIER ILLAM, BHARATH NAGAR, COIMBATORE, TAMIL NADU.
- 14 A.SHAJUDHEEN, S/O.LATE ABDUL JABBAR, RESIDING AT 14/C-4, 8TH STREET, SRI RAM NAGAR, CHETTIPALAYAM ROAD, COIMBATORE, TAMILNADU.

(THE LEGAL HEIRS OF DECEASED 1ST PETITIONER ARE IMPEADED AS ADDITIONAL PETITIONERS 10 TO 14 VIDE ORDER DATED 10.12.2015 IN I.A.NO.2238 OF 2013).

ADDITIONAL P15 TO P17 IMPEADED

- 15 MOHAMMED NIZAM, S/O.SIDDIQUE, RESIDING AT MARIPADAM, PAYYALOOORE P.O., KOLLENGODE, PALAKKAD- 678 566
- 16 N.RUKSANA, W/O.RESHEED, RESIDING AT PULIYAMPARAMBU, PAYYALOOORE, ATHIKODE P.O., PALAKKAD- 678 552
- 17 N.RUMAISSA, W/O.K.C.NAZEER, RESIDING AT 142/1, KRISHNAVENI AMMAL LAYOUT, OPPOSITE PANCHAYATH UNION OFFICE, ZAMIN, UTHUKULI, POLLACHI- 642 004

THE LEGAL HEIRS OF THE DECEASED ADDITIONAL 7TH PETITIONER ARE IMPEADED AS ADDITIONAL APPELLANTS 15 TO 17, VIDE ORDER DATED 14.8.10 IN I.A.2718/15. PETITIONERS

RESPONDENT/1st RESPONDENT

SALIYA BEEVI, W/O.N.C.KAMALUDHEEN, RESIDING AT KALAPPARA, KUTHANUR AMSOM, ALATHUR TALUK, PALAKKAD DISTRICT.

Petition praying that in the circumstances stated in the affidavit filed there with the High Court be pleased to stay the passing of the final decree in O.S.No.548/1993 on the file of the Court of the Subordinate Judge of Palakkad, pending disposal of the Appeal Suit.

This petition again coming on for orders upon perusing the petition and the affidavit filed in support thereof and this court's order dated 10/10/2000 and upon hearing the arguments of SRI.RAJESH SIVARAMANKUTTY, Advocate for P3 M/S.T.C.SURESH MENON and P.S.APPU, Advocates for the P10 to P17 and of SRI.O.RAMACHANDRAN NAMBIAR, Advocate for the respondent, the court passed the following:

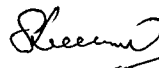
O R D E R

Interim order is extended for a period of six months.

21-02-2019

Sd/- A.HARIPRASAD, JUDGE

/true copy/


22/2/19
ASSISTANT REGISTRAR

2/2/19
22/2/19