

IN THE HIGH COURT OF KERALA AT ERNAKULAM**Present:****THE HONOURABLE MR.JUSTICE T.V.ANILKUMAR****Thursday,the 18th day of March 2021/27th Phalguna, 1942****OP(C) No.709/2021****FDA No. 968/2005 in OS No.27/1993 of the SUB COURT, MUVATTUPUZHA****PETITIONERS/LEGAL HEIRS OF THE DECEASED PLAINTIFFS/ DEFENDANTS IN O.S.****NO.27/1993 ON THE FILES OF THE SUB COURT,**

1. ALPHONSA,AGED 60,
W/O.LATE A.S.GEORGE, ANJILIKUDIYIL HOUSE, VELLURKUNNAM KARA,
VELLURKUNNAM VILLAGE, MUVATTUPUZHA, ERNAKULAM DIST. - 686 669.
2. MRUDUL GEORGE,AGED 32 ,
S/O.LATE A.S.GEORGE, ANJILIKUDIYIL HOUSE, VELLURKUNNAM KARA,
VELLURKUNNAM VILLAGE, MUVATTUPUZHA TALUK, ERNAKULAM DIST. -
686 669.
3. ELIZABETH,AGED 50 ,
D/O.ELIKUTTY, NOW RESIDING AT KUDIYIRIKKAL HOUSE, KAVAKKAD P.O.,
ENANELLUR VILLAGE, IDUKKI DISTRICT - 686 668.
4. SUNNY,AGED 48 YEARS,
S/O.ELIKUTTY, NAMBIATTEL HOUSE, KAVAKATT KARA, ENANELLUR
VILLAGE, IDUKKI DISTRICT, PI - 686 668.
5. SAJU,AGED 32 YEARS,
S/O.ELIKUTTY, NAMBIATTEL HOUSE, KAVAKATT KARA, ENANELLUR
VILLAGE, MUVATTUPUZHA TALUK, ERNAKULAM DISTRICT, PIN - 686 668.
6. MOLLY,
W/O.JOSEPH, NAMBIYATTEL HOUSE, KAVAKKADU KARA, ENANELLUR
VILLAGE, MUVATTUPUZHA TALUK, ERNAKULAM DISTRICT, PIN - 686 668.
7. MARY MATHEW,
W/O.MATHEW, PERINGARAPPILLIL HOUSE, POTHANIKKADU KARA,
POTHANIKADU VILLAGE, PIN - 686 671.
8. ROSILY,
W/O.JOSEPH, CHEMPARATHIYIL HOUSE, MUTHALAKKODAM KARA,
THODUPUZHA TALUK, IDUKKI DISTRICT, PI - 685 605.

9. KATHARIN,

W/O.JOHNSON, THALACHIRAYIL HOUSE, ELAMDESAM KARA, THODUPUZHA TALUK, IDUKKI DISTRICT, PIN - 685 588.

10. GEORGE,

S/O.JOSEPH, THRIKKANASSERIL (PAIKKATTU), RANDAR KARA, MUVATTUPUZHA VILLAGE, ERNAKULAM DISTRICT, PIN- 686 673.

For information purpose only

RESPONDENTS/LEGAL HEIRS OF 1ST DEFENDANT/ORIGINAL PLAINTIFFS IN O.S. NO.27/1993 ON THE FILES OF SUB COURT, MUVATTUPUZHA & 3RD PARTY IMPLEADED:

1. JOSE JOSEPH,AGED 56 YEARS,

S/O.JOSEPH, MANKUZHI PUTHENPURAYIL PAIKATT, RANDAR KARA, MUVATTUPUZHA VILLAGE, MUVATTUPUZHA TALUK, ERNAKULAM DISTRICT, PIN - 686673.

2. JAMES JOSEPH,AGED 54 YEARS,

S/O.JOSEPH, MANKUZHI PUTHENPURAYIL, PAIKATT, RANDAR KARA, MUVATTUPUZHA VILLAGE, MUVATTUPUZHA TALUK, ERNAKULAM DISTRICT, PIN - 686 673.

3. GEORGE JOSEPH,AGED 50 YEARS

S/O.JOSEPH, MANKUZHI PUTHENPURAYIL, PAIKATT, RANDAR KARA, MUVATTUPUZHA VILLAGE, MUVATTUPUZHA TALUK, ERNAKULAM DISTRICT, PIN - 686 673.

4. SEBASTIAN,AGED 43 YEARS,

S/O.MARIYAM, MANKUZHICKOTTAYIL, PUTHENPURAYIL, NOW RESIDING AT ANJILIKUDIYIL HOUSE, VELLATHOOVAL P.O., ANACHAL VILLAGE, DEVIKULAM TALUK, IDUKKI DISTRICT, PIN - 685 563.

5. JOY,AGED 58 YEARS,

S/O.MARIYAM, MANKUZHICKOTTAYIL, PUTHENPURAYIL, NOW RESIDING AT ANJILIKUDIYIL HOUSE, VELLATHOOVAL P.O., ANACHAL VILLAGE, DEVIKULAM TALUK, IDUKKI DISTRICT, PIN - 685 563.

6. V.P.IMMANUEL,AGED 59 YEARS,

S/O.MARIYAM, VELLAMTHADATHIL, SOUTH MARADY KARA, MARADY VILLAGE, NOW RESIDING AT RANDAR KARA, RANDAR P.O., MUVATTUPUZHA TALUK, PIN - 686 673.

7. KUTTIYAMMA,AGED 47 YEARS,

W/O.GEORGE, KALLOORIL HOUSE, CHENKULAM KARA, ANACHAL VILLAGE,
DEVIKULAM TALUK, IDUKKI DISTRICT, PIN- 691 510.

8. CELIN ANTONY, AGED 55 YEARS,

D/O.XAVIER, MUNDAKKAL HOUSE, VELLATHOOVAL VILLAGE, IDUKKI
DISTRICT, PIN - 685 563.

9. RAHUL GEORGE, AGED 38 YEARS,

S/O.LATE A.S.GEORGE, ANJILIKUDIYIL, MUVATTUPUZHA, ERNAKULAM
DISTRICT, PIN - 686 669.

10. BAIJU M.JOSEPH, AGED 40 YEARS,

S/O.JOSEPH, MUNTHIRINGATTU HOUSE, AYAVANA P.O., ENANALLOOR
VILLAGE, MUVATTUPUZHA, ERNAKULAM DISTRICT, PIN - 686 673.

Op (civil) praying inter alia that in the circumstances stated in the affidavit filed along with the OP(C) the High Court be pleased to stay the operation of Ext.P6 order and further stay passing of final decree alone, in F.D.A No.968/2005 which is the final decree application filed by the respondents 1 to 3 which they have got impleaded after the demise of late Iype Joseph, the original final decree applicant, till the disposal of the Original Petition (Civil) in the interest of justice.

This petition coming on for admission upon perusing the petition and the affidavit filed in support of OP(C) and upon hearing the arguments of M/S.VARGHESE C.KURIAKOSE & P.V.VARGHESE (KANJIRAMATTOM), Advocates for the petitioner, the court passed the following;

ORDER

Issue notice before admission to respondents by speed post.

Passing of decree in F.D.A No.968/2005 is stayed for a period of three months.

Post after vacation.

18-03-2021

Sd/-

T.V.ANILKUMAR, JUDGE

/true copy/

Sd/-

ASSISTANT REGISTRAR

EXT P6-TRUE PHOTOSTAT COPY OF ORDER DATED 2/12/2020 IN IA NO.

**1052/2010 IN FDA NO.968/2005 IN OS 27/93 ON THE FILES OF SUB COURT
MUVATTUPUZHA.**

For information purpose only

