
(2023) 03 KL CK 0012

In the High Court Of Kerala

Case No : Original Petition (C) No. 484 Of 2023

Kayamkulam Muslim Jama Ath

APPELLANT

Vs

Muhammed Safarulla O

RESPONDENT

Date of Decision : 03-03-2023

Acts Referred:

Constitution of India, 1950 — Article 227

Citation : (2023) 03 KL CK 0012

Hon'ble Judges : C.S.Dias, J

Bench : Single Bench

Advocate : A.Shafeek

Final Decision : Disposed Of

Judgement

C.S.Dias, J

1. The original petition is filed, inter alia, to direct the Court of the Munsiff, Kayamkulam, to consider and dispose of O.S No.262/2018 within a reasonable time period.

2. Pursuant to the order dated 24.2.2023 passed by this Court, the learned Munsiff, by communication dated 27.02.2023, has informed this Court that the suit is filed for recovery of possession. The defendants 1 to 3 have filed their written statement, and the defendants 4 and 5 have been set ex parte. The suit stands posted for pre-trial to 8.3.2023. The court below requires four months time to dispose of the suit.

3. Heard; Sri.A.Shafeek, the learned counsel appearing for the petitioner. Even though notice has been served on the learned counsel appearing for the first respondent before the court below, there is no appearance for him. In view of the fact that the respondents 2 to 5 are sailing with the petitioner, I dispense with notice to them.

4. On a consideration of the pleadings and materials on record and after perusing

the communication of the learned Munsiff, in exercise of the supervisory powers of this Court under Article 227 of the Constitution of India, I direct the Court of the Munsiff, Kayamkulam, to consider and dispose of O.S No.262/2018, in accordance with law, as expeditiously as possible, at any rate within a period of four months from the date of receipt of a certified copy of the judgment. Needless to mention that the summer vacation period shall be excluded from the above time period.

The original petition is ordered accordingly.