

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

FRIDAY, THE 10TH DAY OF AUGUST 2012/19TH SRAVANA 1934

OP(C).No. 2626 of 2012 (O)

. OS.170/2010 of SUB COURT, CHERTHALA

PETITIONER(S):

A.P.KUMARAN,, AGED 64 YEARS
S/O PARAMESWARN PILLAI, SMITHA BHAVAN
PANANGADU DESOM, KUMBALAM VILLAGE, KANAYANNOOR TALUK
ERNAKULAM DISTRICT

BY ADVS.DR.V.N.SANKARJEE
SRI.V.N.MADHUSUDANAN
SMT.R.UDAYA JYOTHI

RESPONDENT(S):

P.M. USHA,, AGED 45 YEARS
D/O THANKAPPAN, MURICKUCHIRAYIL HOUSE
PANAVALY VILLAGE, PANAVALLY P.O, PANAVALLY MURI
CHERTHALA, TALUK 688566

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 10-08-2012, THE COURT
ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXT. P1 PLAINT DATED 08-12-2010 IN O.S NO 170/2010 OF THE SUB COURT, CHERTHALA
- EXT. P2 WRITTEN STATEMENT DATED 12-04-2011 FILLED BY THE RESPONDENT IN O.S NO 170/2010 OF THE SUB COURT, CHERTHALA
- EXT. P3 APPLICATION DATED 6-12-2011 (I.A NO 1827/2011) IN O.S NO 170/2010 OF THE SUB COURT, CHERTHALA
- EXT. P4 ORDER DATED 09-12-2011 IN (I.A NO 1827/2011) IN O.S NO 170/2010 OF THE SUB COURT, CHERTHALA
- EXT. P5 ORDER DATED 05-01-2012 IN IA.NO 5/2011 IN O.S NO 170/2010 OF THE SUB COURT, CHERTHALA

RESPONDENTS' EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

OP(C) NO. 2626 OF 2012

Dated this the 10th day of August, 2012

JUDGMENT

The court below has by Exts.P4 and P5 orders directed the disputed cheques to be forwarded to a handwriting expert for analysis. The three cheques are now produced in the prosecution launched under Section 138 of the Negotiable Instruments Act.

2. The complaint of the petitioner is that no follow up action has been taken by the court below to call for the cheques from the criminal court and forward it to the expert in implementation of Exts.P4 and P5 orders. The court of the subordinate Judge of Cherthala shall focus its attention to the grievance projected by the petitioner in O.S. No. 170/2010 on its file and do the needful within a period of one month from the date of receipt of a copy of this judgment.

The Original Petition is disposed of as above.

**V. CHITAMBARESH
JUDGE**

ncd