

**1968 KHC 121**  
Kerala High Court  
*V. R. Krishna Iyer, J.*  
Neelacanta Panicker v. Govinda Pillai  
C. R. P. No. 1386 of 1967  
9 August, 1968

*Practice And Procedure - Judicial Order -- Maybe brief, not blank -- Munsif may be busy, but has to give reasons for the conclusions. (Para 1)*

P. Sukumaran Nair; For Petitioner  
M. Krishnan Nair; P. Gopalakrishnan Nair; For Respondent

**ORDER**

1 A judicial order may be brief but not a blank. Unfortunately, the learned Munsiff in this case has chosen to be sphinx like in the order which merely says:

*"Objection filed. Heard. Petition granted."*

Even though the Munsiff may be busy, since his functions are judicial he has to give reasons for the conclusions. Otherwise, the valuable right of a party to challenge an order is considerably crippled.

2 Barring this criticism, there is nothing also to be said against the order of the Munsiff on the merits although it is a pity that even after an earlier direction by this Court in CRP. 227 of 1965 there has been this disinclination on the part of the Munsiff properly to consider and pronounce a reasoned order. The suit itself was brought by members of a *thavazhi* to remove the *karnavan* of the *tarwad* who, under a partition arrangement, had been put in charge of certain properties for the upkeep of the family shrine and, according to the plaintiffs, abused his position by alienating, without justifying necessity, the property meant for the benefit of the family idol to the 1st defendant. The persons who seek to get themselves impleaded as co-plaintiffs are other members of the *thavazhi*. Naturally, they are vitally interested in the reliefs of removal of the *karnavan* from the management of the family temple and the setting aside of the alienation in favour of the 1st defendant. Therefore, they have been rightly allowed to be brought on record as coplaintiffs by the lower court. The revision petition has no merit and is dismissed, although these will be no order as to costs.

3 It is seen that the suit is of 1963 and it is proper for Courts not to look upon litigation as leisurely 5 -- year plan projects! The learned Munsiff will take up the suit for trial and counsel for both parties agree before me here that they will be ready to get on with the suit without further wasteful skirmishes. The records in the suit which have unnecessarily been called up in this Revision Petition will be despatched to the lower Court expeditiously.

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