

IN THE COURT OF PRINCIPAL MUNSIFF,
THIRUVANANTHAPURAM

Present : Sri. Mithun Gopi.G.S, Principal Munsiff.
On Friday 28th day of June, 2024/7th Ashadha, 1946

EP.No.210/2011 in RCP.No.54/2009

Decree Holder:-

N.S Sajitha, aged 59 years,
D/o Nalinakshi, residing at 1/1197, Pallimukku,
Peyad, Thiruvananthapuram.

By Adv.Sri.V.Suresh

Judgment Debtor:-

Indira Sreedharan Nair,
D/o Parukkutty Amma,
T.C 36/1373,Vallakkadavu.P.O,
Thiruvananthapuram

By Adv. Sri. K.B.Imtiaz Mohammed

This Execution Petition is having been finally heard on
28..06..2024 and the court on the same day passed the following.

ORDER

Decree Holder and Judgment Debtor represented.

EA.276/2024 dismissed vide separate order. Heard both sides. The Judgment Debtor want time to adduce evidence for identifying the building to be evicted. The Decree Holder produced the judgment of the Hon'ble High Court of Kerala in EX SA.No.2/2023 dated 10/07/2023. The Hon'ble High Court of Kerala held that "the execution court shall confine the delivery to the property that has been scheduled in the rent control petition and as decided in the judgment in the rent control petition confirmed till revision by the Hon'ble High Court of Kerala. This court perused the rent control petition filed by the petitioner on 15/09/2009 and the schedule in the same is shown as "The building bearing TC.No.36/1373(2) in Perunthanni Ward in the Corporation of Thiruvananthapuram.". I also perused the schedule of the order of Rent Control Court in RCP No.54/2009 dated 26/07/2010 and the same reading as follows; "The building bearing TC.No.36/1373(2) in Perunthanni Ward in the Corporation of Thiruvananthapuram". Hence, the court is of the view that eviction is to be done in the building bearing TC

No.36/1373(2) in Perunthanni Ward in the Corporation of Thiruvananthapuram” as directed by the Hon’ble High Court of Kerala. Hence, in obedience to the Judgment of the Hon’ble High Court of Kerala, Amin is the appointed to effect delivery by surrendering vacant possession of the building referred above to the Decree Holder on or before 26/07/2024 and file report before this court on 27/07/2024. Amin is authorized to break open the lock for effecting the delivery if found necessary. Once the Amin deputed by the court filed report stating that delivery was obstructed and sought police aid concerned. Hence, SHO of police station concerned is directed to gave necessary assistance to the Amin if found necessary and file compliance report before the court. For report of the Amin to 27.07.2024.

Pronounced in open court on this the 28th day of June 2024

Mithun Gopi.G.S
Principal Munsiff

APPENDIX: Nil

Principal Munsiff

Typed by:Anooja
Compared by:
FCS:

Fair Copy of Order in
EP.No.210/2011 in RCP.No.54/2009
Dated: 28/06/2024