

IN THE COURT OF THE PRINCIPAL MUNSIF, CHERTHALA

Present: Sri. Rovin Rodrigues, Principal Munsiff

Thursday, the 08th day of January 2026/ 18th Argrahayanam, 1947

IA 07/2024 in O. S. No. 161/2023

(Filed on 26.11.2024)

Petitioner/Defendant:-

James C.Varghese, S/o.Varkey Kunju,
Mery Villam Kokkothamangalam P.O.,
Kokkothamangalam Village, Cherthala East
Muri, Thannermukkom Panchayath, Ward-5.

By Adv. Joji K.Antony.

Cr. Petitioner/ Plaintiff:-

Soman, S/o.Purushan, Puloot Nikarthil,
Varanadu P.O., Kokkothamangalam Village,
Cherthala East Muri, Cherthala.

By Adv. T.Jayakrishnan.

This petition having been heard on 08.01.2026 and the Court on the same day passed the following:-

ORDER

This is an application filed by the defendant seeking the appointment of an advocate commissioner to inspect the plaint schedule properties and to file a report with a rough sketch. The petitioner/defendant claims that appointment of an advocate commissioner is necessary to

substantiate the averments in his written statement. The respondent/plaintiff filed an objection and contended that there is an emergent commission report and plan already available on record and the present petition is filed only to protract the proceedings.

2. Heard. Perused the records.

3. The suit is one for permanent prohibitory injunction. The plaintiff seeks to injunct the defendant from dismantling the item no 2 road and re aligning the same. The Commission report and rough sketch and photographs submitted on 11.04.2023 is sufficient to decide the suit. The defendant seeks to ascertain the shifting of a private road through the property of Siby, which is irrelevant. Hence, I am of the considered opinion that allowing this petition will not serve any useful purpose.

As a result, the petition is dismissed. No costs.

(Pronounced by me in the open Court on this day the 08th day of January, 2026)

Sd/-

Rovin Rodrigues
Principal Munsiff

Appendix: - Nil

Sd/-

Principal Munsiff

/True Copy/

Principal Munsiff

*Fair Copy of Order in
IA No.07/26 in O.S.161/2023
Dated: 08.01.2026*