

IN THE COURT OF THE PRINCIPAL MUNSIFF, CHERTHALA.
Present:- Sri. Thaha. M ,BA., LL.M., Principal Munsiff.
Thursday 11th day of August 2016/20th Sravana 1938.

I.A. No. 3509/2015 in O.S. No. 723/2013
(Filed on 10.09.2015)

Petitioner/Plaintiff

Preethi Filomina, W/o Antony,
Pattuparambil House, Kochi Corporation,
Edappally Village, Chalikkavattam Muri,
Vennala P.O., Ernakulam.

By Adv. Sri. R. Vinod Kumar.

Counter Petitioner/Defendant:

P.V. John, S/o Varghese, Paliyathara House,
Pattanakkadu Village, Cherthala Taluk,
Vettakkal P.O., Alappuzha.

By Adv. Sri. C.N. Ponnappan.

This petition having been finally heard on 08.08.2016 and the court on 11.08.2016 passed the following:-

ORDER

This is a petition filed under order VI Rule 17 CPC. It is stated in the affidavit that the suit is filed for fixation of northern boundary of plaintiff schedule property. But he scheduled only one property.

In order to fix the northern boundary of plaintiff schedule property the northern property belongs to the defendant is also to be measured out and that property would also be scheduled.

So, to include the defendant's property as plaintiff item No. 2, the suit is to be amended. He filed the petition for that purpose.

The other side filed a very lengthy objections.

Heard both sides.

In order to fix the boundary of a property when there is dispute, both disputed properties must be measured out. For that purpose both the properties must be included in the schedule. Now there is only one property scheduled in the plaint. The petition is to include defendant property as item No. 2. The fact being so, the petition is allowed.

Carry out the amendment.

Pronounced by me in open court on this the day of 11th August 2016.

Sd/-
Thaha.M
Principal Munsiff.

Appendix : NIL

Id/-
Principal Munsiff.

/True Copy/

By Order

Sd/-
Fair Copy Superintendent.