

IN THE COURT OF THE MUNSIFF HARIPAD

Present: Smt. Maneesha K Bhadran Munsiff

Thursday 19th the day of March 2026/28thPhalgunam, 1947

OS 153/2023 (Final Decree)

(Filed on 11.04.2023)

Plaintiff:

Dileep Kumar aged 56 years,
S/o Gopalan, Suprabhatham Veetil,
Chingoli Muri, Chingoli Village,
from Mangalapallil Veetil,
Mahadevikadu Muri,
Karthikappally Village.

(By Adv. M. Ibrahim Kutty)

Defendants:

1. Jamalaudheen aged 62 years,
S/o Syed Muhammed Kunju,
Kanakkapilla Veetil, Valanjavazhi,
Vandanam.P.O.
Ambalappuzha North Village
From Valiya Chelappurathu Veetil,
Puthukundom Muri, Kathikappally Village.
2. Abdul Gafoor, aged 68 years,
S/o Syed Muhammed Kunju,
Karippu Veetil @ Kuduthingal Thekkathil,
Panoor Muri, Thrikunnappuzha Village
From Valiya Thelappurathu Veetil,
Puthukundam Muri, Karthikappally Village.

Exparte

This suit having been finally heard on 19.03.2026 and the court on the same day passed the following.

ORDER

Application filed for passing a final decree.

2. This court has passed a preliminary decree vide judgment in O.S.153/2023 dated 21.06.2025 on the following terms:-

- (1) It is hereby declared that plaintiff has title over 2/5th share over the plaint schedule property.
- (2) First defendant is directed to surrender vacant possession of plaint schedule property within two months from the date of decree, failing which plaintiff can secure the same through the process of court.
- (3) Plaint schedule property is ordered to be partitioned by metes and bounds into 5 equal shares.
- (4) Plaintiff is entitled for 2/5th share over plaint schedule property.
- (5) Second defendant is entitled for 3/5th share over the plaint schedule property. Allotment of

separate share to second defendant shall be only upon the payment of requisite court fee.

(6) Plaintiff is entitled to realize costs of the suit from first defendant

3. The petitioner herein has taken out a commission to partition the property as per the preliminary decree. In the commission report, it is reported that the commissioner measured the properties on 22.11.2025 with the assistance of a competent surveyor and he prepared a report and plan. Advocate commissioner had allocated the property as per their share. No objection is filed to the commission report by the parties. On perusal of the commission report and other materials available on record, I find nothing to interfere with the same and therefore, commission report and plan are accepted in evidence. Petitioner is entitled to get a final decree in consonance with the preliminary decree so passed. The commission report filed on 22.11.2025 and plan prepared are marked as Exts.C1 and C1(a) respectively.

In the result, final decree is passed on as follows :-

- 1) The plot which is marked as 'DEGLMD' in Ext.C1(a) plan measuring 81 sq.metre comprised in Survey No.465/4 in Karthikapally village is allotted to petitioner.

- 2) Ext.C1 commission report and Ext.C1(a) plan shall form part of the final decree.
- 3) Petitioner is directed to produce challan worth **Rs.1,000/-** (Rupees One Thousand only) within 3 months for purchasing non-judicial stamp paper for engrossing the final decree.
- 4) No order as to costs.

Dictated to my confidential assistant, typed by her, corrected and pronounced by me in the open court on the 19th day of March, 2026

Sd/-
Maneesha K Bhadran
Munsiff

APPENDIX:

Court Exhibits

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| C1 | 03.12.2025 | Commissioner Report Prepared by Advocate Commissioner S. Naushad. |
| C1 (a) | 03.12.2025 | Survey Plan prepared by Panal Surveyour Nabeesath Beevi.A. |

Id/-
Munsiff