

IN THE COURT OF THE MUNSIF, KOCHI

Present :- Sri.Krishnankutty K.V., LL.B., LL.M, Additional Munsiff

Monday, the 5th day of October, 2015/13th Aswina, 1937

I.A.No.2266/2014 in O.S.No.297/2012

Petitioners/Plaintiff:-

Alice Xavier, aged 53 years, W/o late Xavier @ Ponnann, Attipetty House,
Kumbalanghi North P.O., Kochi-682 007.

By Adv. P.P.Raphaelkutty

Respondents/Defendants:-

1. John, aged about 60 years, S/o Lawrence, Panakkal House,
Kumbalanghi P.O., Kumbalanghi Village, Kochi-682 007.
2. Joseph, aged about 55 years, S/o Bappu, Thathamangalath House,
Kumbalanghi P.O., Kochi-682 007.
3. Jenin, aged about 35 years, S/o Job, Nangeril House, Kumbalanghi P.O.,
Kochi-682 007.
4. Satheesan, aged about 40 years, near to supply Co Market, Illikkal Junction,
Kumbalanghi P.O., Kochi-682 007.

By Advs. Joseph Edakkattu & K.J.Vincent

This petition filed Under Order 26 Rule 9 and Section 151 of the Civil Procedure Code to pass a commission for local inspection.

This petition come up for hearing before me on 05.10.2015 and the court on the same day passed the following:-

ORDER

This is a petition filed for considering Document No. 3157/97 by Adv. Commissioner for identifying the disputed pathway. The contention of petitioner is that the document will show the existence of disputed pathway. Respondent contented that

the document has no relevance to the present suit. Hence not to be considered. Since the dispute is regarding the pathway, I am of the view that no prejudice will cause to respondent in considering the document. Hence the petition is allowed in the interest of justice. Adv. Habeeba Moosa, who is the earlier commissioner is appointed to inspect and report and prepare sketch with the assistance of Village Officer concerned. Petitioner to pay Rs. 2500/- to commissioner and Rs.750/- to Village Officer as Batta directly. Commission report to 5.12.15.

Pronounced in open court on this the 5th day of October, 2015.

Krishnankutty K.V.
Additional Munsiff.

APPENDIX :- Nil

Additional Munsiff

BL
compd by: