

IN THE COURT OF THE MUNSIF, KOCHI

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

Tuesday, the 12th day of April, 2016/23rd Chaithra, 1938

I.A.No.1023/2016 in O.S.No.380/2015

Petitioner/Plaintiff:-

B.J.Antony @ Unni, aged 68 years, S/o.late Joseph, Balummel House, Kannamali P.O., Kochi – 682 008.

By Adv. Suraj Krishna B.S.

Respondent/Defendant:-

K.V.Xavier, aged 78 years, S/o.Vary, Kannamali P.O., Kochi – 682 008.

By Adv.T.A.George Joseph.

This petition filed under Section 151 of the Code of Civil Procedure to give direction to the SHO, Kannamaly Police Station to render necessary assistance for executing the order passed by this Honourable Court in I.A. No.2547/2015 in the suit.

This petition come up for hearing before me on 12.04.2016 and the court on the same day passed the following:-

ORDER

This is a petition for police protection filed by petitioner/plaintiff. Petitioner contended that the respondent is still not allowing the petitioner to enjoying plaint schedule property as per the interim order issued. It is also not permitting to pluck coconut also. Respondent contended that the petition is vague. The police will not be able to

give assistance for such vague relief sought. Ext.C1 marked. The Advocate commissioner filed C1 report stating that the defendant himself told at the time of inspection that for 6 coconut trees petitioner is taking income. The commissioner also identified plaint A schedule property and defendants property. Hence in the interest of justice petition is allowed and SHO, Kannamali police Station directed to give necessary assistance to petitioner to enjoy plaint schedule property as noted by adv. Commissioner and to take usufructous from 6 coconuts trees as noted in commission report.

Pronounced in open court on this the 12th day of April, 2016.

Krishnankutty K.V.
Additional Munsiff

APPENDIX

Exhibits for both sides:- Nil

Witness for both sides:- Nil

Court Exhibits:-

C1. 23.09.2015 Commission Report filed by P.R.Thomachan.

Additional Munsiff

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compd by: