IN THE COURT OF THE PRINCIPAL MUNSIFF, KOCHI

Present:

Sri.Aneesh Chacko.K., Principal Munsiff

Monday, the 4th day of January, 2021, 4th Pousha, 1942

I.A. No. 1/2020 in O.S.No. 357/2020

Petitioner/Plaintiff:-

C.N.Viswambharan, S/o late C.A.Narayanan, aged 81 years, Cherupully House, Nayarambalam P.O, Nayarambalam Village, Kochi Taluk, Ernakulam District, PIN 682 509.

By Advs. K.K.Vivekanandan and V.J.James

Respondents/Defendants:-

1.   K.B.Joshy, S/o Balakrishnan, aged 50 years, Klangalath House, H.No.9/30, Nayarambalam P.O, Nayarambalam Village, Kochi Taluk, Ernakulam District PIN-682 509.

2.   Ezhava Maranavasya Paraspara Sahaya Sangam, Sanjopuram Road, Kudungassery, Nayarambalam P.O, Ernakulam District, PIN 682 509 represented by its Secretary.

D1   -   **No Vakalath**
D2   -   **By Adv. Visakh Antony**

This petition filed under Order XXXVIII Rule 5 r/w Section 151 of the Code of Civil Procedure to direct the 1st respondent/ 1st defendant to furnish security for Rs. 4,87,060/- or in his failure to do so, to attach the property of the 1st respondent/1st defendant better described in the Schedule hereunder as security for the suit amount.

This petition having been heard on 04.01.2021 and the court on the same day, passed the following:-

ORDER

The above petition is filed by the petitioner under order XXXVIII Rule 5 of the Code of Civil Procedure.

Heard the counsel for the petitioner. Perused the affidavit and documents. I am satisfied that the counter petitioner with intend to defeat the decree that may be passed against him is about to alienate the petition schedule property.

Hence issue notice to the counter petitioner to furnish security For Rs. 6 lakhs or to appear and show cause why he shall not furnish security. In the meantime there will be a conditional order of attachment of the scheduled property. Intimate the order to SRO concerned. Issue notice. For return of notice 21.01.2021.

Pronounced by me in the open court on this the 4th day of January, 2021.

Sd/-
Aneesh Chacko.K
Principal Munsiff.

Appendix : Nil

Id/-
Principal Munsiff

BL
compd. by: