

I.A.2/2024

CMA.17/2024

IN THE COURT OF THE CIVIL JUDGE (SENIOR DIVISION), MUVATTUPUZHA

Present:- Sri. Atheek Rahman, Civil Judge (Senior Division)

Monday, the 15th day of July, 2024 / 24th Ashadha 1946

I.A.No. 2/2024 in C.M.A.No. 17/2024

Petitioner/Appellant:-

Philip M Thomas, Aged 72 Years, S/o M.P. Thomas, Mundackappillil House, Koothattukulam Kara, Koothattukulam P.O, Koothattukulam Village, Muvattupuzha Taluk, Ernakulam District. Pin - 686662

By Adv. M/s. K.R. Sunilkumar & Muhammed Aslam C

Respondents/Respondents:-

1. Rinu P Rajeev, aged 39 years, S/o Rajeev, Puthenveetil House, Vytilla P.O, Vytilla Kara, Punithura Village, Kanayannoor Taluk, Ernakulam District. Pin – 682019.
2. Rintu Thomas, aged 32 years, W/o Rinu P. Rajeev, Puthenveetil House, Vytilla P. O, Vytilla Kara, Punithura Village, Kanayannoor Taluk, Ernakulam District. Pin – 682019.
3. Thomas, aged 68 years, Alunkal House, Oliyappuram Kara, Thirumarady Village, Muvattupuzha Taluk.

R1 to R3 – No Vakalath.

This petition is filed under Order XVIII Rule 2 read with Section 151 of Civil Procedure Code, 1908 for staying the proceedings in I.A 2/2021 in O.S 258/2021 of Munisiff Court Muvattupuzha and is coming on for hearing on 15th day of July, 2024 in the presence of the above counsels and the Court on the same day passed the following:-

ORDER

Heard the learned counsel for the apellant. Perused affidavit and documents. I am satisfied that petitioner/appellant has an arguable case. So I am of

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the view that both the parties can be directed to maintain the status quo of the D schedule property as reported by the Advocate Commissioner as Ext.C1 Commission report. Otherwise, the appellant will be put to irreparable loss. Hence, both parties are directed to maintain the status quo of the D schedule rivulet as reported by the advocate commissioner in Ext.C1 report until further order. Issue notice to respondent for Return of notice. Call on.13.08.2024

(Pronounced by me in the Open Court on this the 15th day of July, 2024)

Sd/-

ATHEEK RAHMAN
CIVIL JUDGE(SENIOR DIVISION)

APPENDIX :- Nil

Sd/-

CIVIL JUDGE(SENIOR DIVISION)

Typed by : Ss/-

Compd by : Svb/-

// True Copy //

(By Order)

Sheristadar

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Copy of Order in

in I.A. 2/2024

in C.M.A. No.17/2024

Dated: 15.07.2024